

TO BE LIEUTENANTS

Roger M. Daisley	Corben C. Shute
Jesse J. Underhill	Thomas P. Wilson
Robert W. Wood	Francis R. Duborg
Donald A. Lovelace	William H. McClure
Weldon L. Hamilton	George W. Ashford
Lex L. Black	Lamar P. Carver
Phillip G. Stokes	John A. Collett
John A. Scott	William W. White
Knight Pryor	John R. Yoho

TO BE LIEUTENANTS (JUNIOR GRADE)

Edward W. Abbot	Juan B. Pesante
Porter F. Bedell	Charles B. Paine, Jr.
William H. Sublette	Richard D. Shepard
Robert C. H. Hird	James E. Smith
Edward R. Nelson, Jr.	William A. Smyth
George P. Koch	Clarence E. Dickinson, Jr.
Garrett S. Coleman	Lyle E. Strickler
Poyntell C. Staley, Jr.	Albert L. Gebelin
Frank S. Fernald	Douglas M. Swift
Isthmian L. Powell	John W. Florence
Howard F. Kuehl	Martin H. Ray, Jr.
John M. Stuart	Irving S. Presler
Bernard A. Smith	Hugh Q. Murray
Edward J. Fahy	Robert W. Leeman
James E. Halligan, Jr.	William T. Kinsella
John V. Smith	Harold E. Cole
George H. Browne	Frederick A. Gunn
Lester R. Schulz	George H. Wigfall
Donald A. Scherer	Edward H. Worthington
Reuben T. Whitaker	

TO BE MEDICAL DIRECTORS

Joseph R. Phelps	Frank H. Haigler
------------------	------------------

TO BE MEDICAL INSPECTOR

Charles P. Archambeault

TO BE PASSED ASSISTANT SURGEONS

Frederick R. Lang	Giffin C. Daughtridge
Elbert F. Penry	Howard L. Puckett
Willard M. Gobbell	Clarence F. Morrison
Robert A. Bell	Lawrence E. Bach
John J. Wells	Thomas L. Willmon
George B. Ribble, Jr.	Marcy Shupp
Edward F. Kline	Frank A. Latham
Fitz-John Weddell, Jr.	Powell W. Griffith
Ralph D. Handen	Morris M. Rubin
Ernest M. Wade	Louis M. Harris

TO BE PASSED ASSISTANT PAYMASTER

Elmer A. Chatham

TO BE NAVAL CONSTRUCTORS

Theodore L. Schumacher
Homer N. Wallin

POSTMASTERS

FLORIDA

Mamie M. Carnell, Ormond.

MONTANA

Amy P. Bartley, Fort Benton.

NEW YORK

John H. Otten, Blauvelt.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 21 (legislative day of June 15), 1937

POSTMASTER

CONNECTICUT

William Liberty to be postmaster at Voluntown, in the State of Connecticut.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 21, 1937

The House met at 12 o'clock noon.

Rev. C. E. Hawthorne, pastor of the Wallace Memorial United Presbyterian Church, Washington, D. C., offered the following prayer:

O God, our help in ages past, our hope for years to come, we bow reverently and humbly before Thee, and would offer our prayer in the confident faith that Thou art able to do exceeding abundantly above all that we ask or think. As we look back over the years our hearts are filled with gratitude and praise, for Thou hast blessed our Nation, Thou hast guided through the hard places, Thou hast reached toward us Thy hand of blessing. By the grace of God we are what we are, and we thank Thee. But past blessings do not suffice. The challenge of the present hour confronts us. And we come seeking for this day Thy continued guidance and blessing. Guide these Thy servants, the Members of Congress, in the deliberations of this day. Grant them Thy wisdom and the guiding strength of Thy hand. O God, bless our Nation. Our hearts are troubled as we see strife and bitterness among our people. Have mercy upon us; and in the solution of these problems may we seek the will of our God and become obedient to it. Hear our prayer this day and answer us, for we come in the name of Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Friday, June 18, 1937, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 18. Concurrent resolution to authorize and direct the Clerk of the House, in the enrollment of the Independent Offices Appropriation Act, 1938 (H. R. 4064), to make a change in the text of the appropriation for pensions under the Veterans' Administration.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 10. Concurrent resolution accepting the statue of Gen. William Henry Harrison Beadle, to be placed in Statuary Hall.

DELIVERY OF THE MAILS

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for 4 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the most scandalous exhibition of cowardice I have ever witnessed is that now displayed by the Government as regards delivery of the mails. Time sufficient for further consideration and reversal of position has elapsed. It appears nothing will be done. The power of the Government has been set at naught. It has surrendered to a handful of lawless people and stands before the country a discredited thing.

So long as this lawless, revolutionary movement does not obstruct the normal functions of instrumentalities of the Federal Government it may properly be considered as a local question and dealt with by the States affected; but when it stops the delivery of the mails and dams up the channels of interstate commerce it becomes national in character and should be dealt with by the National Government.

It is no concern of ours, Mr. Speaker, that a partnership between politics and the C. I. O. should exist in the strike-ridden States, but it becomes a matter of our deepest concern when effort is made to broaden this partnership to include the Federal Government or should reach the point

of denying to the people in the States affected a democratic form of government.

It is my belief that if the existing police force is inadequate to cope with the situation, every soldier of the Republic should be summonsed to be used as civil instruments to enforce Federal power and uphold the majesty of the law. This lawlessness of the C. I. O. and its affiliates and this shameful cringing of government to them is not only wrecking the great labor movement, as guided by the A. F. of L., but, unchallenged and unchecked, will wreck the Government as well.

Mr. Speaker, I am fully aware of the fact that the urge is to turn away from orderly government as practiced for more than a hundred and fifty years, and that to speak up for liberty is to invite ridicule; but there are those who still love liberty and want government by law. It is to give voice to their fears and indignation that I speak.

There is still time sufficient to stop the play of this tragedy of tragedies, this wrecking of the Government of the United States. Shall we sit here like huddled, terror-stricken cattle and see the country swept into a state of anarchy, or shall we, like brave soldiers, bare our bosoms and meet the attack on every hand?

The hour for action has struck. The crisis is on. So let us, according to our understanding and ability, be up and doing. Let us see that our Government is worthy of the support which law-abiding and God-fearing people give it. [Applause.]

[Here the gavel fell.]

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have permission to sit during the sessions of the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

SALARY OF DEPUTY UNITED STATES MARSHALS

The Clerk called the first bill on the Consent Calendar, H. R. 6453, to increase the minimum salary of deputy United States marshals to \$2,000 per annum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That effective beginning July 1, 1937, the compensation of deputy United States marshals who are paid on a salary basis, other than those whose principal duties are of a clerical nature, shall be at the rate of not less than \$2,000 per annum.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISION OF AIR-MAIL LAWS

The Clerk called the next bill, H. R. 4732, to revise the air-mail laws.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PREFERRED EMPLOYMENT OF AMERICAN CITIZENS BY THE GOVERNMENT

The Clerk called the next bill, H. R. 3423, to provide for the preferred employment of American citizens by the Government of the United States.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. COCHRAN. Mr. Speaker, I reserve the right to object to the gentleman's request.

Just for the purpose of information, will the gentleman tell us what the objection is, so that we may be able to come to some agreement on this bill?

Mr. WOLCOTT. I think perhaps eventually we may come to some agreement on it, but I understand there is a minority report on the bill, and I do not see the signers of the minority report on the floor. I am merely protecting the signers of the minority report in asking that the bill be passed over without prejudice.

Mr. COCHRAN. All right.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HARRY W. BLAIR

The Clerk called the next bill, H. R. 4740, limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

Mr. SNELL, Mr. WOLCOTT, and Mr. MICHENER objected.

FEDERAL SUBSISTENCE HOMESTEADS CORPORATIONS

The Clerk called the next bill, H. R. 3058, for the relief of former employees of the Federal Subsistence Homesteads Corporations.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if there is some one here who can give us some information about what is involved in this bill. I would like very much to be advised, and I am sure the House is interested in discovering what these corporations are, the stock of which is owned by the Subsistence Homesteads Corporation.

Mr. Speaker, I ask unanimous consent that this bill may go to the end of the calendar.

The SPEAKER. Does the gentleman intend by his request that the bill shall again be called today?

Mr. WOLCOTT. Yes.

The SPEAKER. The gentleman from Michigan asks unanimous consent that this bill may go to the foot of the call of today's calendar. Is there objection?

There was no objection.

INDIAN CLAIMS COMMISSION

The Clerk called the next bill, S. 1902, to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, this is a very important bill. It has to do with the creation of an Indian Claims Commission, and under the terms of the bill all the cases now pending in the Court of Claims can be transferred to this proposed commission.

The Committee on Indian Affairs has the call on Wednesday next, and I believe this to be too important a matter to be taken up at this time, and therefore I shall object. If the committee wants the bill considered, it can call up the measure Wednesday.

Mr. ROGERS of Oklahoma. Mr. Speaker, will the gentleman withhold his objection a moment and yield to me?

Mr. COCHRAN. I will.

Mr. ROGERS of Oklahoma. Does the gentleman realize that this is an administration measure?

Mr. COCHRAN. It does not make any difference to me whether this is an administration measure or not. I am aware the Commissioner of Indian Affairs wants this bill, and through his influence a favorable report came from the Department of the Interior, but I will say if this bill is called up Wednesday I am prepared to show just what it is going to cost the Government if it should pass. I cannot conceive the House will put its stamp of approval on such a bill if the facts are in possession of the Members. You can disregard millions and think of billions if the Indian claims ever gets in the hands of this commission and the right to offset the claims by the Government is denied. I repeat, disregard millions but think of billions in judgments.

Mr. Speaker, Friday I placed in the RECORD a statement about Indian claims. On June 1 the Court of Claims decided a suit based on a bill that was favorably reported by the Department of the Interior that will cost the people of this country over \$4,000,000. Three days ago another case was decided by the Court of Claims, the claim of the Klamath Indians, and this after the Court of Claims and the Supreme Court had denied that there was any obligation on the part of the Government. The decision which was rendered the other day resulted from a change in the jurisdictional act. This change was made by this Congress after two courts had spoken. I was sick in bed at the time or the bill would never have passed. While I do not know the exact amount of money involved, it is going to cost the taxpayers of this country several million dollars, and I may say to the gentleman that his committee reported the bill that changed the jurisdictional act in the last Congress which enabled the Indians to obtain this judgment. The decision will probably be published by the Court of Claims today. It has already been handed down.

You have any number of bills pending asking that Congress change the jurisdictional acts. The gentleman from Montana [Mr. O'CONNOR] asked that we change a jurisdictional act in, I think, the Crow case, and he argued that you did so for the Klamaths, why not in this case. Well, I say to the gentleman that if I had been here the Klamath's bill would not have passed, at least under the unanimous-consent rule. The day is not far distant when Members of Congress are going to pay more attention to these bills. I do not blame the Representatives of the Indians, as the Indians are their constituents, but it is for the lawyers that most of the bills are passed. The Indians sign up and the lawyers have a binding agreement.

What was the contention in the Klamath case? The lawyers contended that the amount paid the Indians for land was not in keeping with the value at the time. Then 50 or 75 years after they come in and want the Government to raise the price of the land and make up the difference. Why not bring in a bill to reimburse the great-great-grandchildren of the original owners of the land the Capitol now stands on, saying that the price paid the original owner was below the real value. It would be just as meritorious as this Indian claim was. Mr. Speaker, I decline to withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN, Mr. WOLCOTT, and Mr. RICH objected.
COINAGE OF 50-CENT PIECES IN COMMEMORATION OF THE BATTLE OF ANTIETAM

The Clerk called the next bill, S. 102, to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, there are three coinage bills on the calendar. I understand that the Committee on Coinage, Weights, and Measures has definitely decided that these are the only three bills that are going to be reported out and considered at this session of Congress. I would like to inquire of some member of the committee whether my understanding in this respect is correct or not.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. WOLCOTT. Yes.

Mr. RICH. Last week we had two bills on the calendar and the same statement was made. I notice now there are three similar bills on the calendar.

Mr. WOLCOTT. No; I understand that at that time the Committee was considering and had agreed to report out the California bridge bill, which is now on the calendar.

Mr. COCHRAN. In the absence of the chairman of the committee and as ranking member, I will say to the gentleman that bill has been reported out by the committee and is on the calendar and can be considered today.

Mr. WOLCOTT. Is the gentleman from Missouri in position to assure us that these three bills are the only measures of this nature which the committee expects to report out at this session of Congress?

Mr. COCHRAN. I cannot speak for the committee, but I can speak for myself as ranking member of the committee, and so far as I am concerned, these are the only bills of this kind that will be reported out. I will further say that in the very near future I propose to address the House on this subject and I am sure I will then present to the House an argument that will prevent the passage of such measures for all time. I have the facts, will assemble them, and I propose to show what a graft the issuance of commemorative half dollars has been. We offer some protection by amendments to these bills.

The reason it was agreed to report the three bills on the calendar today was that in the last session the Maryland and Virginia bills both passed the House, one passed the Senate, but a slight amendment kept it from being sent to the White House. A promise was made then, as I understand it, that the two bills would be passed at this session and the committees in charge of the celebrations went along with preparation for the events. Had this not been presented to the committee in this way I would have opposed these bills. The third bill, the San Francisco Bridge commemorative coin bill, passed in the closing days of the session. There were two bridges, but the bill as drawn provided for 200,000 coins for one bridge. When an effort was made to amend it, we were advised it was too late. The officials in charge of one celebration agreed to issue only 100,000 coins and kept the promise. Now, this bill provides that the other 100,000 can be issued to commemorate the construction of the second bridge. In view of the understanding in the last session I offered no objection to the favorable report on this bill, but knowing the situation as I do I cannot retain my self-respect and agree to the passage of any additional commemorative coin bills. I can tell the House now I will show the coins are not issued so much to commemorate an event as they are to make money to pay expenses of the celebrations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the seventy-fifth anniversary of the Battle of Antietam there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 50,000 silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1937, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Washington County Historical Society of Hagerstown, Md., upon payment by it of the par value of such coins, but not less than 25,000 such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par or at a premium by such Washington County Historical Society of Hagerstown, Md., and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

With the following committee amendments:

Page 1, line 4, strike out "a" and insert "one", and after the word "mint", insert the word "only."

On page 2, line 14, after the word "Maryland", insert "subject to the approval of the Director of the Mint."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TWO HUNDREDTH ANNIVERSARY, NORFOLK, VA.

The Clerk called the bill (S. 4) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk (Va.) land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the three hundredth anniversary of the original Norfolk (Va.) land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 20,000 silver 50-cent pieces of standard size, weight, and composition and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Sec. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Norfolk Advertising Board, Inc., affiliated with the Norfolk Association of Commerce, upon payment by it of the par value of such coins, but not less than 5,000 such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par or at a premium by such association, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Sec. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins, or for any other purposes, whether such laws are penal or otherwise shall, so far as applicable, apply to the coinage herein authorized.

With the following committee amendments:

Page 1, line 6, strike out the article "a" and insert "one", and after the word "mint", in line 7, insert the word "only."

Page 1, line 8, strike out the word "twenty" and insert "twenty-five."

Page 2, line 1, after the word "appropriate", insert the word "single."

Page 2, line 12, strike out the word "five" and insert "twenty-five."

Page 2, line 17, after the word "association", insert "subject to the approval of the Director of the Mint."

The committee amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

The Clerk called House Joint Resolution 363, to authorize an additional appropriation to further the work of the United States Constitution Sesquicentennial Commission.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. By the adoption of this joint resolution we declare whether we want the United States Constitution Sesquicentennial Commission to continue throughout this year. The bill originally provided for an appropriation of \$350,000, but in accordance with our desire to keep our appropriations within the fiscal years, that was cut \$200,000, and this joint resolution undertakes to appropriate the remaining \$150,000, which was in the original bill last year. This is the year commemorating the sesquicentennial of the adoption of the Constitution. For that reason personally I have no objection to the bill, but I think the House should understand that this bill means the continuation of this Sesquicentennial Commission.

Mr. SNELL. Does not the gentleman from Michigan think that we have spent a reasonable amount on this celebration up to the present time?

Mr. WOLCOTT. It seems to me that \$200,000 should have been all that is necessary. We have to stop this somewhere.

Mr. SNELL. I agree with the gentleman that we have to stop it somewhere, and I am one who will endeavor to stop it right now. I am willing to take the responsibility to be one of three to object to any further expenditure along that line, although I think they have done good work heretofore. With the present condition of the Treasury, every man on the Democratic side ought to object.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

The SPEAKER. Is there objection?

Mr. SNELL, Mr. RUTHERFORD, and Mr. CRAWFORD objected.

JEFFERSON DAVIS NATIONAL HIGHWAY

The Clerk called the bill (S. 1468) authorizing the erection in the District of Columbia of a suitable terminal marker for the Jefferson Davis National Highway.

Mr. WOLCOTT, Mr. RICH, and Mr. WADSWORTH objected.

BRIDGE ACROSS MISSOURI RIVER, POPLAR, MONT.

The Clerk called the bill (H. R. 6496) granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River at or near Poplar, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Consent of Congress is hereby granted to the State of Montana, the counties of Roosevelt, Richland, and McCone thereof, or any of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Poplar, Mont., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

DIKE IN MISSOURI RIVER, PIERRE, S. DAK.

The Clerk called the bill (H. R. 6693) to legalize a dike in the Missouri River, 6 $\frac{1}{10}$ miles downstream from the South Dakota State highway bridge at Pierre, S. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the dike constructed from the left bank of the Missouri River to Farm Island, mile 1167.1 above the mouth, or 6 $\frac{1}{10}$ miles downstream from the South Dakota State highway bridge at Pierre, S. Dak., by the South Dakota State Highway Commission, be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if it had been constructed in accordance with the approved plans: *Provided*, That any changes in said dike which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS WABASH RIVER, LOCKPORT, IND.

The Clerk called the bill (H. R. 6636) granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Ind.

The SPEAKER. Is there objection?

Mr. HILL of Oklahoma. Mr. Speaker, I object.

BRIDGE ACROSS MERRIMACK RIVER, MASS.

The Clerk called the bill H. R. 6920, granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Mass., or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Massachusetts, Middlesex County and the city of Lowell, Mass., or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River, at a point suitable to the interests of navigation, at or near Lowell, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

JURISDICTION OF UNITED STATES COMMISSIONERS TO TRY PETTY OFFENDERS

The Clerk called the bill (H. R. 4011) to confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any United States commissioner specially designated for that purpose by the court by which he was appointed shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the law, or rules and regulations made in pursuance of law, committed in any place over which the Congress has exclusive power to legislate and within the judicial district for which such commissioner was appointed. The probation laws shall be applicable to persons so tried before United States commissioners. For the purposes of this act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). If any person charged with such petty offense shall so elect, however, he shall be tried in the district court of the United States which has jurisdiction over the offense.

Sec. 2. In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed. The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States.

Sec. 3. United States commissioners specially designated under authority of section 1 of this act shall receive for services rendered under this act the same fees, and none other, as provided for like or similar services in other cases under section 21 of the act of May 28, 1896 (29 Stat. 184; U. S. C., title 28, sec. 597).

Sec. 4. This act shall not be construed as in any way repealing or limiting the existing jurisdiction, power, or authority of United States commissioners, including United States commissioners appointed for the several national parks and United States commissioners in Alaska.

With the following committee amendments:

Page 2, line 7, after the period, insert:

"The commissioner before whom the defendant is arraigned shall apprise the defendant of his right to make such election and shall not proceed to try the case unless the defendant, after being so apprised, signs a written consent to be tried before the commissioner."

Page 3, at the end of the bill, insert a new section, as follows:

"Sec. 5. The provisions of this act shall not apply to the District of Columbia."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO BANKRUPTCY ACT

The Clerk called the bill (H. R. 4343) to amend section 77B of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subdivision (c) of section 77B of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended (U. S. C., 1934 ed., title 11, sec. 207 (c)), is amended by inserting after clause (3) thereof the following: "(3½) may, for cause shown, and in accordance with such rules as to notice and hearing as the Supreme Court may prescribe, authorize the debtor,

or the trustee or trustees, if appointed, to lease or sell, upon such terms and conditions as may be approved by the judge, any property of the debtor, whether real or personal."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

INTERNATIONAL CONGRESS OF ARCHITECTS

The Clerk called Senate Joint Resolution 111, to provide that the United States extend to foreign governments invitations to participate in the International Congress of Architects, to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the President be, and is hereby, authorized and requested to invite foreign governments to participate in the International Congress of Architects to be held in the United States during the calendar year 1939.

Sec. 2. That the sum of \$20,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the Fifteenth International Congress of Architects, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic, and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, for the fiscal year 1939.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

The Clerk called the next bill, H. R. 6762, to amend the act known as the Perishable Agricultural Commodities Act, 1930, approved June 10, 1930, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BUCK. Mr. Speaker, reserving the right to object, is the gentleman referring to Calendar No. 283?

Mr. WOLCOTT. Yes. I am making this request for this purpose. It is a long bill and a very complicated bill, and I think should be given consideration.

Mr. BUCK. I thought I had discussed this matter with the gentleman and that there was no possible objection to the bill. It has a unanimous report from both sides of the House in the committee.

Mr. WOLCOTT. May I clear up in my own mind—

Mr. BUCK. Certainly. I will be glad to answer any question about it, but the bill is one which deals with a subject that has been approved by the Department of Agriculture and has met with the approval of the committee.

Mr. WOLCOTT. Mr. Speaker, I think the gentleman is right. I have the wrong bill in mind. I withdraw my request.

The SPEAKER. The gentleman from Michigan withdraws his request that the bill be passed over without prejudice.

Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 6 of section 1 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(6) The term 'dealer' means any person engaged in the business of buying or selling in carloads any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a 'dealer' in respect of sales of any such commodity of his own raising; (B) no person buying any such commodity solely for sale at retail shall be considered as a 'dealer' in respect of any such commodity in any calendar year until his purchases of such commodity in carloads in such year are in excess of 20; and (C) no person buying any such commodity for canning and/or processing within the State where grown shall be considered a 'dealer' whether or not the canned or processed product is to be shipped in interstate or foreign commerce, unless such product is frozen or packed in ice within the meaning of paragraph 4 of this section. Any person not considered as a 'dealer' under clauses (A), (B), and (C) may elect to secure a license under the provisions of section 3, and in such case and while the license is in effect such person shall be considered as a 'dealer'. As used in this paragraph, the term 'in carloads' includes wholesale or jobbing quantities as defined for any such commodity by the Secretary."

Sec. 2. That subsection 5 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(5) For any commission merchant, dealer, or broker, to misrepresent by word, act, mark, stencil, label, statement, or deed the character, kind, grade, quality, condition, degree of maturity, or State or country of origin of any perishable agricultural commodity received, shipped, sold, or offered to be sold in interstate or foreign commerce."

Sec. 3. That subsection 6 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(6) For any commission merchant, dealer, or broker, for a fraudulent purpose, to remove, alter, or tamper with any card, stencil, stamp, tag, or other notice placed upon any container or railroad car containing any perishable agricultural commodity, if such card, stencil, stamp, tag, or other notice contains a certificate or statement under authority of any Federal or State inspector or in compliance with any Federal or State law or regulation as to the grade or quality of the commodity contained in such container or railroad car or the State or country in which such commodity was produced."

Sec. 4. That section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended by adding a new subsection, no. 7, and reading as follows:

"(7) For any commission merchant, dealer, or broker, without the consent of an inspector, to make, cause, or permit to be made any change by way of substitution or otherwise in the contents of a load or lot of any perishable agricultural commodity after it has been officially inspected for grading and certification, but this shall not prohibit re-sorting and discarding inferior produce."

Sec. 5. That section 3 (a) of the Perishable Agricultural Commodities Act, 1930, as amended, is amended by adding thereto the following:

"Any person violating this provision may, upon a showing satisfactory to the Secretary of Agriculture, or his authorized representative, that such violation was not willful but was due to inadvertence, be permitted by the Secretary, or such representative, to settle his liability in the matter by the payment of the fees due for the period covered by such violation and an additional sum, not in excess of \$25, to be fixed by the Secretary of Agriculture or his authorized representative. Such payment shall be deposited in the Treasury of the United States in the same manner as regular license fees."

Sec. 6. That section 4 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) Whenever an applicant has paid the prescribed fee the Secretary, except as provided elsewhere in this act, shall issue to such applicant a license, which shall entitle the licensee to do business as a commission merchant and/or dealer and/or broker unless and until it is suspended or revoked by the Secretary in accordance with the provisions of this act, or is automatically suspended under section 7 (d) of this act, but said license shall automatically terminate on any anniversary date thereof unless the annual fee has been paid: *Provided*, That notice of the necessity of paying the annual fee shall be mailed at least 30 days before the anniversary date: *Provided further*, That if the annual fee is not paid by the anniversary date the licensee may obtain a renewal of that license at any time within 30 days by paying a fee of \$15;

"(b) The Secretary shall refuse to issue a license to an applicant (1) if he finds that the applicant has previously been responsible in whole or in part for any violation of the provisions of the act for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office or, in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (2) if at any time within 2 years he has found after notice and hearing that said applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (3) if he finds, in case the applicant is a partnership, association, or corporation, that any individual holding office or, in the case of a partnership, having any interest or share in the applicant, has previously been responsible in whole or in part for any violation of the provisions of the act for which the license of such indi-

vidual, or of any partnership, association, or corporation in which such person held any office or, in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (4) if at any time within 2 years he has found after notice and hearing, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7 (c), has failed, except in case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued within 2 years against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office, or, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7 (c), has failed, except in the case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued within 2 years against him as an individual or against a partnership of which he was a member, or an association or corporation in which he held any office. Notwithstanding all of the foregoing provisions of this paragraph, the Secretary, in the case of such applicant, may issue a license if the applicant furnishes a bond or other satisfactory assurance that his business will be conducted in accordance with the provisions of the act and that he will pay all reparation orders which may previously have been issued against him for violations, or which may be issued against him within 2 years following the date of the license, subject to his right of appeal under section 7 (c), but such license shall not be issued before the expiration of 1 year from the date of revocation of license or from the date of the Secretary's finding that the applicant has been responsible, in whole or in part, for any flagrant or repeated violation of section 2. Such bond shall be in an amount sufficient in the judgment of the Secretary of Agriculture to insure payment of such reparation orders;

"(c) The Secretary shall refuse to issue a license to an applicant if he finds after notice and hearing that at any time within 2 years said applicant has been found guilty in a Federal court of having violated the provisions of the act known as the Produce Agency Act (7 U. S. C., secs. 491-497), or of having violated section 14 (b) of this act, or, in case the applicant is a partnership, that any member of the partnership was found guilty within 2 years of having violated the Produce Agency Act, or section 14 (b) of this act, or, if the applicant is an association or corporation, that any officer or any person holding a responsible position therein has been found within 2 years to have been guilty of violating the Produce Agency Act or section 14 (b) of this act;

"(d) The Secretary may withhold the issuance of a license to an applicant, for a period not to exceed 30 days pending an investigation, for the purpose of determining (a) whether the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this act, or (b) whether the application contains any materially false or misleading statement or involves any misrepresentation, concealment, or withholding of facts respecting any violation of the act by any officer, agent, or employee of the applicant. If after investigation the Secretary believes that the applicant should be refused a license, the applicant shall be given an opportunity for hearing within 60 days from the date of the application to show cause why the license should not be refused. If after the hearing the Secretary finds that the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this act, or because the application contains a materially false or misleading statement made by the applicant or by its representative on its behalf, or involves a misrepresentation, concealment, or withholding of facts respecting any violation of the act by any officer, agent, or employee, the Secretary shall refuse to issue a license to the applicant."

Sec. 7. That paragraph (a) of section 5 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) If any commission merchant, dealer, or broker violates any provision of section 2 he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation."

Sec. 8. That paragraph (b) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(b) Any officer or agency of any State or Territory having jurisdiction over commission merchants, dealers, or brokers in such State or Territory and any employee of the United States Department of Agriculture or any interested person may file, in accordance with rules and regulations of the Secretary, a complaint of any violation of any provision of this act by any commission merchant, dealer, or broker and may request an investigation of such complaint by the Secretary."

Sec. 9. That paragraph (e) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(e) If a complaint is made by a nonresident of the United States, the complainant shall be required, before any formal action is taken on his complaint, to furnish a bond in double the amount of the claim conditioned upon the payment of costs, including a reasonable attorney's fee for the respondent if the respondent shall prevail, and any reparation award that may be issued by the Secretary of Agriculture against the complainant on any counter claim by respondent: *Provided*, That the Secretary shall have authority to waive the furnishing of a bond by a complainant who is a resident of a country which permits the filing of a complaint by a resident of the United States without the furnishing of a bond."

Sec. 10. That section 7 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) If after a hearing on a complaint made by any person under section 6, or without hearing as provided in section 6, paragraphs (c) and (d), or upon failure of the party complained against to answer a complaint duly served within the time prescribed, or to appear at a hearing after being duly notified, the Secretary determines that the commission merchant, dealer, or broker has violated any provision of section 2, he shall, unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order;

"(b) If any commission merchant, dealer, or broker does not pay the reparation award or the judgment of the court within the time specified in the Secretary's order, or within 10 days from the date of the judgment, the complainant, or any person for whose benefit such order was made, may within 3 years of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the commission merchant, dealer, or broker, or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. The orders, writs, and processes of the district courts may in these cases run, be served, and be returnable anywhere in the United States. Such suit in the district court shall proceed in all respects like other civil suits for damages, except that the findings and orders of the Secretary shall be prima-facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court, nor for costs at any subsequent state of the proceedings, unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit;

"(c) Either party adversely affected by the entry of a reparation order by the Secretary may, within 30 days from and after the date of such order, appeal therefrom to the district court of the United States for the district in which said hearing was held. Such appeal shall be perfected by the filing of a notice thereof, together with a petition in duplicate, which shall recite prior proceedings before the Secretary and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with the clerk of said court, with proof of service thereof upon the adverse party, together with a bond in double the amount of the reparation award, conditioned upon the payment of the judgment entered by the court plus interest and costs, including a reasonable attorney's fee for the appellee, if the appellee shall prevail. The clerk of court shall immediately forward a copy thereof to the Secretary of Agriculture, who shall forthwith prepare, certify, and file in said court a true copy of the Secretary's decision, findings of fact, conclusions, and order in said case, together with copies of the pleadings upon which the case was heard and submitted to the Secretary. Such suit in the district court shall be a trial de novo and shall proceed in all respects like other civil suits for damages, except that the findings of fact and order or orders of the Secretary shall be prima-facie evidence of the facts therein stated. Appellee shall not be liable for costs in said court; and if appellee prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of his costs. Such petition and pleadings certified by the Secretary upon which decision was made by him shall upon filing in the district court constitute the pleadings upon which said trial de novo shall proceed subject to any amendment allowed in that court;

"(d) Unless the licensee against whom a reparation order has been issued shows to the satisfaction of the Secretary within 5 days from the expiration of the period allowed for compliance with such order that he has either taken an appeal as herein authorized or has made payment in full as required by such order, his license shall be suspended automatically at the expiration of such 5-day period until he shows to the satisfaction of the Secretary that he has paid the amount therein specified with interest thereon to date of payment: *Provided*, That if on the appeal the appellee prevails or if the appeal is dismissed the automatic suspension of license shall become effective at the expiration of 10 days from the date of the judgment on the appeal unless prior thereto the judgment of the court has been satisfied."

Sec. 11. That section 8 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) Whenever (a) the Secretary determines, as provided in section 6, that any commission merchant, dealer, or broker has

violated any of the provisions of section 2, or (b) any commission merchant, dealer, or broker has been found guilty in a Federal court of having violated section 14 (b) of this act, the Secretary may publish the facts and circumstances of such violation and/or, by order, suspend the license of such offender for a period not to exceed 90 days, except that, if the violation is flagrant or repeated, the Secretary may, by order, revoke the license of the offender;

"(b) The Secretary may, after 30 days' notice and an opportunity for a hearing, revoke the license of any commission merchant, dealer, or broker who, after the date given in such notice, continues to employ in any responsible position any individual whose license was revoked or who was responsibly connected with any firm, partnership, association, or corporation whose license has been revoked. Employment of such individual by a licensee in any responsible position after 1 year following the revocation of any such license shall be conditioned upon the filing by the employing licensee of a bond, in such reasonable sum as may be fixed by the Secretary, or other assurance satisfactory to the Secretary that its business will be conducted in accordance with the provisions of this act;

"(c) If, after a license shall have been issued to an applicant, the Secretary believes that the license was obtained through a false or misleading statement in the application therefor or through a misrepresentation, concealment, or withholding of facts respecting any violation of the act by any officer, agent, or employee, he may, after 30 days' notice and an opportunity for a hearing, revoke said license, whereupon no license shall be issued to said applicant or any applicant in which the person responsible for such false or misleading statement or misrepresentation, concealment, or withholding of facts is financially interested, except under the conditions set forth in paragraph (b) of section 4.

"(d) In addition to being subject to the penalties provided by section 3 (a) of this act, any commission merchant, dealer, or broker who engages in or operates such business without a valid and effective license from the Secretary shall be liable to be proceeded against in any court of competent jurisdiction in a suit by the United States for an injunction to restrain such defendant from further continuing so to engage in or operate such business, and, if the court shall find that the defendant is continuing to engage in such business without a valid and effective license, the court shall issue an injunction to restrain such defendant from continuing to engage in or to operate such business without such license."

Sec. 12. That section 14 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

"(a) The Secretary is hereby authorized, independently and in cooperation with other branches of the Government, State, or municipal agencies and/or any person, whether operating in one or more jurisdictions, to employ and/or license inspectors to inspect and certify, without regard to the filing of a complaint under this act, to any interested person the class, quality, and/or condition of any lot of any perishable agricultural commodity when offered for interstate or foreign shipment or when received at places where the Secretary shall find it practicable to provide such service, under such rules and regulations as he may prescribe, including the payment of such fees and expenses as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That fees for inspections made by a licensed inspector, less the percentage thereof which he is allowed by the terms of his contract of employment with the Secretary as compensation for his services, shall be deposited into the Treasury of the United States as miscellaneous receipts; and fees for inspections made by an inspector acting under a cooperative agreement with a State, municipality, or other person shall be disposed of in accordance with the terms of such agreement: *Provided further*, That expenses for travel and subsistence incurred by inspectors shall be paid by the applicant for inspection to the United States Department of Agriculture to be credited to the appropriation for carrying out the purposes of this act: *And provided further*, That official inspection certificates for fresh fruits and vegetables issued by the Secretary of Agriculture pursuant to any law shall be received by all officers and all courts of the United States, in all proceedings under this act, and in all transactions upon contract markets under Commodities Exchange Act (7 U. S. C., supp. 2, secs. 1 to 17 (a)), as prima-facie evidence of the truth of the statements therein contained;

"(b) Whoever shall falsely make, issue, alter, forge, or counterfeit, or cause or procure to be falsely made, issued, altered, forged, or counterfeited, or willingly aid, cause, procure, or assist in, or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate of inspection issued under authority of this act, the Produce Agency Act of March 3, 1927 (7 U. S. C., secs. 491-497), or any act making appropriations for the Department of Agriculture; or shall utter or publish as true or cause to be uttered or published as true any such false, forged, altered, or counterfeited certificate, for a fraudulent purpose, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500 or by imprisonment for a period of not more than 1 year, or both, at the discretion of the court."

With the following committee amendments:

Page 2, line 20, after the word "broker", insert "for a fraudulent purpose."

Page 10, line 4, strike out the word "If" and insert the words "In case."

Page 11, line 8, strike out "or the judgment of the court."
 Page 11, line 9, strike out "or within 10 days from the date of the judgment."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAPAGO INDIAN RESERVATION IN ARIZONA

The Clerk called the next bill, S. 1806, to extend the boundaries of the Papago Indian Reservation in Arizona.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, inasmuch as the Committee on Indian Affairs has the call on Calendar Wednesday this week, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, reserving the right to object, the committee has a number of bills on the calendar and if this is a bill that can be considered on this calendar I see no reason why it should not be considered.

Mr. WOLCOTT. I may say there are several Members who would object to the bill. I think the gentleman had better take it up and discuss it, because any bill which adds land to an Indian reservation ought to be explained more fully than we are able to explain it on this calendar.

Mr. ROGERS of Oklahoma. We will be glad to do so right now if the gentleman will allow us.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Oklahoma. I yield.

Mr. MURDOCK of Arizona. There is frequently objection to adding land to an Indian reservation. I know that to be true in several Western States. In this case the Board of Supervisors of Pima County, Ariz., has given consent, so the bill has merit, I am sure, or objection would have been made.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that this bill go over without prejudice?

Mr. RICH. Mr. Speaker, reserving the right to object, how much land does this bill put into the reservation?

Mr. ROGERS of Oklahoma. It adds 640 acres that are now occupied by a full-blooded Papago Indian who has been on the land for 40 years. It adds 52,000 acres, some of which is privately owned and some of which is public land. The amount that is involved in the bill is coming from funds that have already been appropriated under the Reorganization Act of June 18, 1934, and it would not cost any additional money; no additional appropriation is required.

Mr. RICH. It takes 52,000 acres of land which you are going to put in a reservation and the Government has to maintain that. The State will lose taxation on it.

Mr. ROGERS of Oklahoma. This land is now occupied by the Indians. They are using the land now. This bill is merely to straighten out the reservation.

Mr. RICH. Was it approved by the Indian Service?

Mr. ROGERS of Oklahoma. Yes. It is a departmental bill.

Mr. MURDOCK of Arizona. This land, having never been on the tax rolls, has paid no taxes to Arizona nor to Pima County. If a considerable tax loss would result from the passage of this measure, I would oppose it. I, too, feel that we must be very careful about taking land off the local tax rolls to bring it under governmental control. However, this bill does not do that.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that the bill go over without prejudice?

There was no objection.

INDIAN LANDS IN ARIZONA

The Clerk called the next bill, S. 2188, to amend section 3 of the act of June 18, 1934 (48 Stat. 984-988) relating to Indian lands in Arizona.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, for the same reason I ask that this bill may be passed over without prejudice.

Mr. ROGERS of Oklahoma. Reserving the right to object, Mr. Speaker, is the gentleman going to continue this procedure on all these Indian bills? As I said before, the Committee on Indian Affairs has several bills on the calendar. It will save a lot of time on Calendar Wednesday to dispose of some of the bills today. We may not be able to reach all these bills on Wednesday.

Mr. WOLCOTT. I am trying to save time today, and to provide an opportunity to take the bill up and discuss it if we want to discuss it.

Mr. ROGERS of Oklahoma. But the Committee on Indian Affairs has a right to be heard on Consent Calendar day the same as any other committee. Just because the Indian Affairs Committee happens to have the call on Wednesday is no reason why Indian bills on the Consent Calendar should not be considered today along with other bills.

Mr. WOLCOTT. I am not denying the committee any right to be heard today, but Calendar Wednesday is set aside for the purpose of discussing these bills.

Mr. ROGERS of Oklahoma. All the committees have their turn on Calendar Wednesdays.

Mr. WOLCOTT. The Indians Affairs Committee happens to have the call on Wednesday. Some of these bills are of a controversial nature. If when they are taken up the House does not care to discuss them they will be passed, so no time is lost if the bill is passed over without prejudice.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. O'CONNOR of New York. These bills are also on the Union Calendar. If we have to go into the Committee of the Whole House on the state of the Union as to every one of these bills we will not be able to dispose of many of them on Calendar Wednesday. If they were House bills it would be a little different.

Mr. WOLCOTT. The gentleman will bear in mind that last year we were dispensing with business in order on Calendar Wednesday week after week and, as a consequence, this Consent Calendar was cluttered up with bills of very great importance and we had to spend a great deal of time on controversial matters on Consent Calendar day. The purpose of Consent Calendar day, as I understand it, is to facilitate the passage of bills about which there is little or no dispute.

I may say to the gentleman that in all probability there will be some dispute concerning some of these bills, for there always is dispute concerning Indian bills; and inasmuch as the Indian Affairs Committee has the call on Wednesday I can see no particular harm in these bills going over.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MURDOCK of Arizona. Mr. Speaker, I think we should consider this bill. I see no objection whatever to its passage. It comes out of the Indian Affairs Committee with a favorable report. In fact, it is a departmental measure which I was only too glad to introduce. The bill rights a wrong and attempts to do justice to the Papago Indians. It has great merit on that ground.

Mr. WOLCOTT. Regardless of the merits of the bill, I think it should be considered, and I insist upon my request that it go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT and Mr. RICH objected.

BRIDGE ACROSS WABASH RIVER, LOCKPORT, IND.

Mr. HILL of Oklahoma. Mr. Speaker, I ask unanimous consent to return to Calendar No. 278, H. R. 6636, a bill grant-

ing the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Ind.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Lockport, Ind., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 6785, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BARDEN. Mr. Speaker, inasmuch as there is no departmental report accompanying this bill I ask unanimous consent that it may go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

TERM OF UNITED STATES DISTRICT COURT AT MALONE, N. Y.

The Clerk called the next bill, H. R. 5963, providing for the establishment of a term of the District Court of the United States for the Northern District of New York at Malone, N. Y.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That a term of the District Court of the United States for the Northern District of New York shall be held annually at Malone, N. Y., on the second Tuesday in July: *Provided*, That suitable rooms and accommodations for holding court at Malone, N. Y., are furnished without expense to the United States.

Mr. O'CONNOR of New York. Mr. Speaker, I move to strike out the last word, and I do so to ask a question of the distinguished minority leader. Will this bill, which the gentleman introduced, place any added cost on the Government?

Mr. SNELL. I am very pleased to announce to the distinguished gentleman from New York that it does not put any added cost on the Government; furthermore, it will save money for the Government.

Mr. O'CONNOR of New York. There will be no expense for courtroom or marshals?

Mr. SNELL. Not a single thing. We have plenty of them there now.

Mr. O'CONNOR of New York. That is fine.

Mr. MEAD. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from New York.

Mr. MEAD. May I say that the United States Federal attorney for that district is a very good Democrat.

Mr. SNELL. I thought so.

Mr. MEAD. And he recommended this legislation to me personally.

Mr. SNELL. Then it must be all right.

Mr. MEAD. And he urged me to cooperate with the distinguished gentleman; therefore I can see no objection to this bipartisan attempt to improve the situation.

The SPEAKER. Is there objection to the present consideration of the bill?

The Clerk read the Committee amendment, as follows:

Page 1, after line 8, insert the following: "until, upon the recommendation of the Attorney General, such accommodations are furnished by the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES COURT OF COLUMBIA, TENN.

The Clerk called the next bill, H. R. 6358, to amend section 107, as amended, of the Judicial Code so as to eliminate the requirement that suitable accommodations for holding court at Columbia, Tenn., be provided by the local authorities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second proviso of section 107, as amended, of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 188) is amended by striking out "that suitable accommodations for holding the courts at Winchester, Columbia, and Cookeville shall be provided by the local authorities without expense to the United States", and inserting in lieu thereof "that suitable accommodations for holding the courts at Winchester and Cookeville shall be provided by the local authorities without expense to the United States."

With the following committee amendments:

Page 1, line 5, after the word "out", strike out the remainder of line 5 and all of lines 6, 7, 8, and 9, and on page 2, strike out lines 1 and 2 and insert the following: "until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Columbia, a public building shall have been erected or other Federal space provided for court purposes in said city."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE BY THE UNITED STATES TO THE STATE OF WISCONSIN OF A PORTION OF THE TWIN RIVER POINT LIGHTHOUSE RESERVATION

The Clerk called the next bill, H. R. 1961, to authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to the conditions hereinafter specified, the Secretary of Commerce is authorized to convey to the State of Wisconsin for State park purposes all the right, title, and interest of the United States in and to that portion of the Twin River Point Lighthouse Reservation, Manitowoc County, Wis., which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portion of such reservation transferred.

SEC. 2. Such conveyance shall contain the express condition that if the State of Wisconsin shall at any time cease to use the property as a State park for public recreation, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

SEC. 3. The United States reserves the right to resume ownership, possession, and control for Government purposes, of any property conveyed under authority of this act, at any time and without the consent of the State of Wisconsin.

SEC. 4. The Secretary of Commerce is also authorized, in his discretion, to lease to the State of Wisconsin for a period of 25 years that portion of the Twin River Point Lighthouse Reservation not conveyed by him under authority of this act. Such lease shall be subject to revocation at any time by the Secretary of Commerce.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST GUARD STATION AT OR NEAR MANISTIQUE, MICH.

The Clerk called the next bill, H. R. 3414, to provide for the establishment of a Coast Guard station at or near Manistique, Mich.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1374, to provide for the establishment of a Coast Guard station at or near Manistique, Mich., may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station at or in the vicinity of Manistique, Schoolcraft County, Mich., at such point as the Commandant of the Coast Guard may recommend.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 3414) was laid on the table.

COAST GUARD STATION AT MENOMINEE, MICH.

The Clerk called the next bill, H. R. 3416, to provide for the establishment of a Coast Guard station at Menominee, Mich.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill, S. 119, to provide for the establishment of a Coast Guard station at or near Menominee, Mich., will be considered in lieu of the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Menominee, Mich., at such point as the Commandant of the Coast Guard may recommend.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 3416) was laid on the table.

THREE COAST GUARD STATIONS ON THE NORTH SHORE OF LAKE SUPERIOR

The Clerk called the next bill, H. R. 5040, to provide for the establishment of three Coast Guard stations on the north shore of Lake Superior.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to establish a Coast Guard station on the north shore of Lake Superior, at or near Hovland, Minn., at such point as the Commandant of the Coast Guard may recommend.

Sec. 2. The Secretary of the Treasury is authorized to establish a Coast Guard station on the north shore of Lake Superior, at or near Beaver Bay, Minn., at such point as the Commandant of the Coast Guard may recommend.

Sec. 3. The Secretary of the Treasury is authorized to establish a Coast Guard station on the north shore of Lake Superior, at or near Two Islands, Minn., at such point as the Commandant of the Coast Guard may recommend.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Beaver Bay, Minn., at such point as the Commandant of the Coast Guard may recommend."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to provide for the establishment of a Coast Guard station at or near Beaver Bay, Minn."

COAST GUARD STATION AT ST. AUGUSTINE, FLA.

The Clerk called the next bill, H. R. 5140, to provide for the establishment of a Coast Guard station at St. Augustine, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to establish a Coast Guard station at St. Augustine, Fla., at

such point as the Commandant of the Coast Guard may recommend.

With the following committee amendment:

Page 1, line 4, after the word "at", insert the words "or near."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to provide for the establishment of a Coast Guard station at or near St. Augustine, Fla."

FISHERIES OF ALASKA

The Clerk called the next bill, H. R. 5860, making further provision for the fisheries of Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand this bill prohibits the taking of salmon with a stake or set net by anyone for commercial purposes only and does not affect an individual who is fishing for his own family, regardless of whether he has lived in the area for 5 years or not?

Mr. BLAND. I am not sure about that question.

Mr. WOLCOTT. Perhaps I did not make myself clear. I have in mind if a person moves into this area and takes it up as his bona-fide residence, then he may take fish for his own use.

Mr. BLAND. I think that is probably true. The Delegate from Alaska [Mr. DIMOND] is particularly informed about this matter, but he is unable to be here today. I think if there is any question about this it would be better to pass it over without prejudice.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATURALIZATION OF ALIEN VETERANS

The Clerk called the next bill, H. R. 4291, to extend further time for naturalization to alien veterans of the World War under the act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

Mr. BARDEN. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill to explain it. There are several questions raised in the report that I would like to have answered. In view of the fact the gentleman is not present at the moment, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PAYMENT OF CERTAIN SIOUX INDIANS

The Clerk called the next bill, H. R. 7328, to authorize an appropriation to carry out the provisions of the act of May 3, 1928 (45 Stat. L. 484), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That an appropriation is hereby authorized in the sum of \$79,038 to pay various Sioux Indians of the Pine Ridge Reservation, S. Dak., the amounts which have been awarded to them by the Secretary of the Interior under the act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided,* That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of their services, not to exceed 10 percent of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by the attorney or attorneys to the claimants in such claim.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDS OF THE HOUSE OF REPRESENTATIVES

The Clerk called House Resolution 222, as follows:

Resolved, That the Clerk of the House of Representatives is authorized and directed, upon the requisition of the Archivist of the United States, in accordance with sections 3 and 6 of the National Archives Act (48 Stat. 1122-1124), to transfer to his custody for storage and preservation in the National Archives Building any and all archives and records of the House of Representatives of the United States which the Clerk of the House may deem not necessary for use in the current business of the House of Representatives or which he may consider to be in such physical condition that they cannot be used without danger of damage to them, and for which, in his opinion, he is unable to provide adequate or safe storage.

Mr. KELLER and Mr. WOLCOTT rose.

Mr. KELLER. Mr. Speaker, I ask unanimous consent that the resolution may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

FLOOD CONTROL

The Clerk called the joint resolution (H. J. Res. 175) to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all the major rivers of the United States, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, it appears to me the committee has taken a very desirable flood-control bill and changed its identity into that of a power bill. This bill provides by the committee amendment that "the Board of Engineers shall set forth the values of such projects for hydroelectric development and other conservation purposes."

I do not believe flood control should be tied up with hydroelectric development at the present time. We have an emergency concerning these flood conditions. The quicker we can get at the control of floods the better it will be for the country. I do not think the Board of Engineers of the War Department should be encumbered with hydroelectric development in the protection of the lives and property of our citizens in a flood-control program.

Furthermore, I call attention to the fact that hydroelectric power development should be given a great deal of consideration by the House, because every time we authorize a Passamaquoddy, a T. V. A., and a Coulee Dam we take that much business away from the coal miners. We have passed bills here—the Guffey coal bill, and so forth—for the purpose of protecting the coal miner. If we would give more thought to the protection of the coal-mining industry in this country and less thought to the development of hydroelectric power, which is putting the coal miners out of employment, we might not have as much labor trouble in the United States as we have today.

For this reason, Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FEDERAL SURPLUS COMMODITIES CORPORATION

The Clerk called the next bill, S. 2439, to extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice, and pending that request, I call the attention of the House to the fact the Federal Surplus Commodities Corporation is a Delaware corporation and is in the business of taking agricultural surpluses off the market, the same as the Commodity Credit Corporation. The opponents of the old Farm Board, which was accomplishing the same purpose with respect to wheat and corn, should give consideration to this set-up along with the Commodity Credit Corporation, and determine whether they want to continue this policy.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SALE OF CHICKASAW DORMITORY PROPERTIES

The Clerk called the next bill, H. R. 7409, providing for the sale of the two dormitory properties belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Okla.

Mr. WOLCOTT. Mr. Speaker, to be consistent, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. ROGERS of Oklahoma. I object.

Mr. WOLCOTT. Then, Mr. Speaker, I object to the present consideration of the bill.

ARCHIVES OF THE TERRITORIES OF THE UNITED STATES

The Clerk called the next bill, S. 2242, to further amend an act entitled, "An act to authorize the collection and editing of official papers of the Territories of the United States now in The National Archives", approved March 3, 1925, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 168d of the act entitled "An act to authorize the collection and editing of official papers of the Territories of the United States now in national archives", approved March 3, 1925, as amended by the act approved February 28, 1929 (U. S. C., Supp. 7, title V, sec. 168a), and by the act approved February 14, 1936 (49 Stat. 1139), be, and the same is hereby, amended by striking out the words "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of \$125,000, and under this authorization not more than \$50,000 shall be appropriated for any one year" and inserting in lieu thereof the following "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of \$250,000, and under this authorization not more than \$25,000 shall be appropriated for any one year."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCOMMODATIONS FOR HOLDING COURT AT SHAWNEE, OKLA.

The Clerk called the next bill, H. R. 4605, relating to the accommodations for holding court at Shawnee, Okla.

Mr. COSTELLO. Mr. Speaker, reserving the right to object, it is my understanding that the proposal here is to allow the Federal Government to build court facilities in Shawnee, Okla., when a Federal building is constructed there. However, I understand the amount of business requires that the court sit for only one week during the year and, therefore, I believe the expenditure that would be required is excessive and unnecessary and for this reason I shall object to the present consideration of the bill.

Mr. BOREN. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. COSTELLO. I reserve the right to object, Mr. Speaker.

Mr. BOREN. Shawnee, Okla., is the fourth largest town in the State of Oklahoma. It has been designated as a Federal court town for approximately 2 years now but has never yet had a session of Federal court there because there are not proper facilities available. The Joint Committee of the Post Office and Treasury Departments is preparing to construct adequate facilities for a post office in a year or two hence, and the necessity has been clearly shown. They advise me it is reasonable in constructing this building, if it can be so arranged, to provide court accommodations, and I do not want to quote them. But I do say that they must recognize two factors: First, they must erect the building, and, in the second place, court can never be held in Shawnee under present arrangements. I am only asking for the removal of a restriction.

Mr. COSTELLO. According to the committee report, it is shown that the proposed building would cost \$250,000, but in order to hold court there it would be necessary to construct two additional stories on the proposed building. As a result, the cost of the building would be not in excess of \$450,000. It appears to me this is an excessive amount, and, further, it is my understanding the Attorney General has reported that adequate facilities are available at the present

time for the holding of court. So it seems to me, if adequate facilities are available without expense to the Federal Government, certainly there cannot be any justification for incurring an expense of approximately \$200,000 for the holding of court in the Federal building rather than in facilities provided by the city of Shawnee, and for this reason, Mr. Speaker, I shall insist upon the objection.

Mr. BOREN. If the gentleman will further withhold his objection, it is my understanding that the proposed building which is to cost \$250,000, would be adequate to house the court, and for this reason I want to challenge the gentleman's figures.

Mr. COSTELLO. The figures I am quoting are taken from the committee's report on the bill, and, apparently, the figures are taken from a letter from the Director of Procurement under date of April 19, 1937, which appears on page 2 of the committee report. This is the basis on which I made my statement that the present proposal for constructing the Federal building there would only cost \$250,000 and that an additional expense of \$200,000 would be necessary if the additional stories were added to the building in order to provide courtroom facilities.

Mr. BOREN. If I may make one further statement in reply to the gentleman, I would remind the gentleman that the city of Shawnee is the fourth largest city in the State and it is many miles removed from any other sitting of the Federal court, and I call attention to the further point that the figures the gentleman has stated are not in accordance with my own conference with the Post Office and Treasury committee about the matter.

Mr. COSTELLO. Mr. Speaker, in view of the fact there appears to be some doubt about the accuracy of the figures set forth in the committee report, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SARATOGA NATIONAL HISTORICAL PARK, N. Y.

The Clerk called the next bill, H. R. 4852, to provide for the creation of the Saratoga National Historical Park in the State of New York, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That when title to all the lands, structures, and other property in the military battlefield area and other areas of Colonial and Revolutionary War interest at and in the vicinity of Saratoga, N. Y., as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national historical park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Saratoga National Historical Park: *Provided*, That such areas shall include at least that part of the Saratoga Battlefield now belonging to the State of New York.

Sec. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, and/or buildings, structures, and so forth, within the boundaries of said historical park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States, out of any donated funds, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888, such tracts of land within the said historical park as may be necessary for the completion thereof.

Sec. 3. That the administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes", as amended.

Sec. 4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OYSTER CULTURE IN ALASKA

The Clerk called the next bill, H. R. 1561, for the protection of oyster culture in Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress approved June 6, 1924, entitled "An act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended by the act of Congress approved June 18, 1926 (44 Stat. 752), is further amended by striking the period after the words "Alaskan Territorial waters", where they occur at the end of the second proviso, and inserting a colon in lieu thereof and after the colon the following: "*Provided further*, That the Secretary of Commerce, in his discretion, and upon such terms and conditions as he may deem fair and reasonable, is hereby authorized to lease bottoms in Alaskan Territorial waters for bona-fide oyster cultivation for commercial purposes."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STONY POINT LIGHT STATION RESERVATION, ROCKLAND COUNTY, N. Y.

The Clerk called the next bill, H. R. 7401, to authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, N. Y., including certain appurtenant structures, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to convey to the Commissioners of the Palisades Interstate Park, for use for public-park purposes, certain portions of the Stony Point Light Station Reservation, State of New York, including certain appurtenant structures, which are not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portions of the reservation transferred. The deed of conveyance shall also contain a clause that should the property so transferred at any time cease to be used for park purposes or for some other wholly public use, title thereto shall revert to the United States.

Sec. 2. In exchange for the property to be transferred the Commissioners of the Palisades Interstate Park shall transfer title to the United States to the dwelling now erected on the portion of land retained by the United States for lighthouse purposes. The United States also reserves the rights-of-way over, underground, or across the area to be transferred for any use whatsoever in conducting the Lighthouse Service or other activities of the Government.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINE HOSPITAL, FLORIDA

The Clerk called the bill (H. R. 4716) authorizing the construction and equipment of a marine hospital in the State of Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to acquire by gift, purchase, condemnation, or otherwise, a suitable site in the State of Florida, to be selected by the Federal Board of Hospitalization, and to cause to be erected thereon a suitable building or buildings for a marine hospital, together with the necessary auxiliary structures, equipment, furniture, accessories, appurtenances, approaches, walkways, roads, parkways, ground improvements, wharfage, dockage, and trackage facilities, heating, ventilation, air conditioning, water, sewers and sanitary facilities, and the necessary preparation and improvements to the site.

Sec. 2. That the plans, specifications, and full estimates for said building shall be previously made and approved according to law, and the cost thereof, including the cost of the site and the improvement thereof, shall not exceed the sum of \$1,500,000.

Sec. 3. There is hereby authorized to be appropriated the sum of \$1,500,000 to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 4540) authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes.

The SPEAKER. Is there objection?

Mr. COCHRAN. I object.

PER-CAPITA PAYMENT TO RED LAKE BAND OF CHIPPEWA INDIANS, MINNESOTA

The Clerk called the bill (H. R. 4539) authorizing a per-capita payment of \$25 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. BUCKLER of Minnesota. Mr. Speaker, will the gentleman reserve his objection?

Mr. WOLCOTT. Yes.

Mr. BUCKLER of Minnesota. Mr. Speaker, I do not see why there should be any objection to this bill. It does not cost the Government one cent. The Red Lake Band of Indians in Minnesota has a large reservation and they have a great deal of timber. They have a sawmill, and operate it. This year \$110,000 was set aside out of that sawmill fund to operate the mill, and the mill is running at the present time. After the \$110,000 is deducted, \$211,000 is left in the fund. After deducting the \$25 per-capita payment, which would be about \$45,000, there would still be \$166,000 left in the fund. This money belongs to the Indians, and I can see no reason why this bill should not pass. Again I hope the gentleman does not object.

Mr. WOLCOTT. Mr. Speaker, I am doing this to preserve the tribal funds. The Acting Secretary of the Interior reports that the Indians have been taken care of pretty well. The sum of \$75,000 has been allocated this year for the construction of roads and buildings on the reservation, and in addition he says that a very generous emergency conservation work program, amounting to about \$130,000 this year, has been carried out on the Red Lake Reservation for the benefit of the Indians; also, that the logging and sawmill operations have provided opportunity for work for these Indians, and that a total of \$110,000 has been allotted so far this year for these operations.

I think probably more important than that is his statement that money paid out in small amounts to the Indians is soon spent with nothing of any permanent nature to show for it. I dislike very much to let the bill go through because of the adverse report of the Acting Secretary of the Interior, and for the further reason that the Indian Affairs Committee has the call on Wednesday next; I am being consistent in objecting to the bill in order that it may be considered on Calendar Wednesday.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

MEMORIAL TO WILL ROGERS

The Clerk called the bill (H. R. 6482) providing for co-operation with the State of Oklahoma in constructing a permanent memorial to Will Rogers.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I reserve the right to object. The present bill before the House apparently would appropriate some \$500,000 to cooperate with the State of Oklahoma in constructing a Will Rogers memorial. In reading over the legislation and in reading the committee report it appears that this memorial, instead of being a memorial to the late Will Rogers, would in fact be nothing more than an Indian museum, in which a large variety of Indian relics would be stored and collected for public exhibition. In spite of the fact that I join with every Member of the House in paying tribute to the memory of the late Will Rogers, I still do not believe that the use of his name should be made an excuse for taking from the Federal Treasury the sum of

\$500,000 to create a museum of Indian relics. If it were just a memorial to be devoted entirely to the memory of Will Rogers, I certainly would have no objection, but it seems this is merely an attempt to use the name of Will Rogers in creating a new museum for Indian relics in the State of Oklahoma.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. Yes.

Mr. KELLER. Mr. Speaker, the gentleman has arrived at an entire misconception, in my judgment, of the object of the bill, because it is a matter that had been studied very carefully and thoroughly before it was brought to the Library Committee. There the whole matter was presented very fully, so that the committee reports unanimously that the bill ought to become a law.

It is not an Indian museum at all, but there is a movement there for the retention of Indian relics because Mr. Rogers was part Indian, as we all know. He was very much interested in those things. On the other hand, the gentleman fails to call attention to the fact that the bill provides for public subscriptions to take up part or all of this \$500,000, and it is my opinion, and the opinion of the committee, that the entire amount can be raised through public subscription, and the commission provided for is empowered to go at it in that way. It is the feeling of the committee as it is my own that the public is tremendously interested in a proper memorial, and the memorial provided here is a proper memorial, in the judgment of the committee.

Mr. COSTELLO. Mr. Speaker, in answer to the statement of the gentleman from Illinois that I have arrived at an entire misconception of the object of the bill, I will state that I have received my information in reading the report of which he is the author, on page 5, the following appears:

The opportunity to further the collection of many of the relics of the story of the Indians as they are concentrated in this region, and to further the interest of the "newer" sections of the Nation in preserving what is still available of their traditions and relics, in such a way that they become public is one that the committee feels should not be lost.

Mr. KELLER. That is quite true, of course, but that is only a small part of the report.

Mr. COSTELLO. The balance of the report is a letter and some of the testimony that was presented to the committee. Apparently very little concerning the late Will Rogers will be incorporated in this museum, from what I gather after reading the committee report very thoroughly. For that reason I do not believe it is proper to simply play upon the name of Will Rogers in creating a number of memorials all over the country, not actually memorials to him. If they are going to build a memorial to Will Rogers I should be glad to see the Federal Government cooperate and join therein, but I do not think we should play upon that name as a means of creating a museum for some other purpose.

Mr. KELLER. The implication of the gentleman that there is any possible desire on the part of the committee or on the part of the people of Oklahoma to play upon the name of Will Rogers is entirely gratuitous and I am sure the gentleman does not believe that.

Mr. TOBEY. Mr. Speaker, will the gentleman yield for me to ask the gentleman from Illinois a question?

Mr. COSTELLO. I yield.

Mr. TOBEY. Is the amount of money \$500,000?

Mr. KELLER. Yes.

Mr. TOBEY. Would the gentleman be favorable to an amendment to this bill limiting the raising of this money to public subscriptions rather than from the Treasury of the United States?

Mr. KELLER. That is provided for in the bill; that the commission shall have that power.

Mr. TOBEY. Solely?

Mr. KELLER. Not solely; no, sir.

Mr. TOBEY. Will the gentleman permit me to amend the bill to make it solely from that source?

Mr. KELLER. Since the author of the bill does not happen to be here, I should rather that would be put up to him.

Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. COSTELLO. Mr. Speaker, I should like to ask the gentleman from Illinois whether this matter has been submitted to the Bureau of the Budget or any other governmental department for their consideration?

Mr. KELLER. The author of the bill can state that. I do not know.

Mr. DISNEY. It has not.

Mr. COSTELLO. Mr. Speaker, in view of the fact that the departments have not given any opinion with regard to this legislation it may be well to agree to the request of the gentleman from Illinois that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that the bill be passed over without prejudice?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WARREN. Mr. Speaker, this afternoon after the disposition of legislative matters, the gentleman from Pennsylvania [Mr. RICH] has been allotted 15 minutes in which to address the House. Following that address, the gentleman from Massachusetts [Mr. McCORMACK] was allotted 15 minutes. I have just been advised that the gentleman from Massachusetts [Mr. McCORMACK] is unable to be here, and I ask unanimous consent, with the consent of the gentleman from Massachusetts [Mr. McCORMACK], that I be permitted to use his time following the gentleman from Pennsylvania [Mr. RICH].

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENSION OF REMARKS

Mr. POWERS. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD and include therein a speech made by General Craig, Chief of Staff of the United States Army, at the commencement exercises at West Point last week.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. McFARLANE. Mr. Speaker, reserving the right to object, what is the nature of the article?

Mr. POWERS. It was a commencement address at West Point made last week to the graduating class.

The SPEAKER. Is there objection?

There was no objection.

CONSENT CALENDAR

UNITED STATES BOARD OF AWARDS

The Clerk called the next bill, H. R. 171, to create a United States Board of Awards and to provide for the presentation of certain medals.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

RIGHT OF APPEAL FROM SUSPENSION OF LICENSES

The Clerk called the next bill, H. R. 7017, to amend section 4450 of the Revised Statutes of the United States, as amended by the act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239).

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4450 of the Revised Statutes of the United States, as amended by the act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239), is amended by inserting in the third sentence of paragraph (g) of said section the words "suspended or", after the word "is" and before the word "revoked", so that the said paragraph (g) of said section, when amended, shall read as follows:

"(g) In any investigation of acts of incompetency or misconduct or of any act in violation of the provisions of this title, or of any of the regulations issued thereunder, committed by any licensed officer or any holder of a certificate of service, the person whose conduct is under investigation shall be given reasonable notice of the time, place, and subject of such investigation and an opportunity to be heard in his own defense. The whole record of the testimony received by the board conducting such investigation and the findings and recommendations of such board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation, and if that officer shall find that such licensed officer or holder of certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service of such officer or holder of such certificate. The person whose license or certificate of service is suspended or revoked may, within 30 days, appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LABOR DISORDERS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes out of order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that he may address the House for 5 minutes at this time, out of order?

There was no objection.

Mr. TREADWAY. Mr. Speaker, for several years it has been a self-made rule with me to devote my attention almost exclusively, so far as the House itself is concerned, to subjects originating in the Ways and Means Committee, or having a direct bearing thereon. I have very seldom spoken on other subjects, and hesitate to do so at this time except from a very personal angle.

At the outset I want to be distinctly understood as being a friend of union labor. I believe that labor should be granted and should receive the same consideration and protection under rational law as is accorded to capital. In other words, they are coordinate. I never have taken the part of capital in unfair treatment toward labor, and, conversely, I believe that labor should respect and cooperate with capital for the best interests of both.

Strikes under certain conditions are justifiable; but I can see no reason why the most ardent believer in fair and honest labor organization can possibly justify such methods as have been pursued during the past few months in Michigan, Ohio, and Pennsylvania. I am particularly incensed against developments in Youngstown, Ohio. According to press accounts, my nearest relative, aside from my own immediate family, barely escaped being killed there on Saturday. In addition to this, the son of this same person was seriously injured in Muncie, Ind., a few weeks ago, nearly losing his leg as a result of being shot. Both these injuries occurred in connection with this labor warfare.

Let me first rehearse briefly the son's case. A young man by the name of Heaton Vorse, reputed to be a press representative, approached a building where a riot had been in progress. When leaving the car in which he had been riding he was hit by a bullet fired from within the tavern where the riot had taken place. He was there as a press representative, in a sense an innocent bystander, not a participant, and was the victim of reckless shooting by an armed mob.

This young man's mother, a well-known writer who has specialized on labor subjects, was in the streets of Youngstown on Saturday, near a picket line, when it is reported that a bullet grazed her forehead. This woman, Mary Heaton Vorse, is my own cousin and naturally such events as I have referred to arouse a feeling of resentment. The significant thing is that these persons were acting entirely within their rights as American citizens but nevertheless their lives were imperilled. Whatever may have been their reasons for being on the scene of such events is of no moment in this connection.

So let me pass to what seems to me to be the critical point in these occurrences. Thousands of persons have been out of work for weeks, blood has been shed, property has been destroyed, production has ceased, the law has been defied, and courts ignored. Not for shorter hours, not for higher wages, not for better conditions of labor, but solely on the orders of one man that these thousands of people must belong to one particular organization and that their employers must recognize that one organization in all dealings with their employees. In labor language, this means the closed shop and the check-off, whereby all employees will belong to one organization and the employers must withhold their union dues from their wages and pay the same into the organization.

I do not hesitate to say that the effort to carry out this program is being aided and abetted by the administration. The President has given indirect support to the C. I. O. organization by stating that the officials of the corporations concerned should be willing to sign this kind of an agreement. It is said that the head of the C. I. O. has demanded this support in return for a \$500,000 contribution to the Democratic campaign fund. The Post Office Department, according to testimony before the Senate committee on Saturday, instructed its employees not to deliver packages of food sent to nonstrikers remaining within the limits of the plant.

It is not necessary to remind this administration of what Grover Cleveland said about mail when he was President of the United States at the time of the celebrated Pullman strike. He said in effect that a postal card, if properly addressed, would be delivered by the Government if it required the Army of the United States to effect such delivery. Nor is it necessary to remind the administration of the statement made by a former Governor of Massachusetts, the late Calvin Coolidge, to the effect that there is no right to strike against the public safety anywhere, any time, any place.

The present attitude of the administration in these matters is a surface indication of its socialistic and communistic leanings, which remind us of Hitler, Mussolini, and Stalin. We are rapidly progressing toward the same ends and accomplishments as have occurred in certain foreign countries. The outstanding difference, however, is the foundation. This is supposed to be a country composed of 125,000,000 free people, whereas those countries have had generations of the rule of autocratic power.

My further indictment against the administration goes to the type of legislation being brought forward in the Halls of Congress, all tending toward the centralization of authority in Washington and the building up of one-man power in America. We are further told that there must be a reorganization of Government functions to remove all independence of action on the part of officials and, under the guise of such reorganization, to place all authority in the hands of the Executive. We are told that a third of the population must divide its personal holdings with another third, leaning very definitely toward the type of government we abhor.

These strikes which are paralyzing industry are the surface indications of a pronounced outbreak. With the aid of the administration and with the forcefulness of the C. I. O. leader, there are two possibilities of relief, namely, dissension in the ranks of labor itself or an uprising of public

opinion which will change the attitude of the administration. The time has come when those of us not chained to the chariot of a temporary majority through fear of loss of patronage and the insidious ways of the administration must come out into the open and see if we cannot induce the sensible people of the country, particularly those employed for wages, to throw off this yoke and restore normalcy to the country. In taking this position I am absolutely confident that I represent the views not only of an overwhelming majority of the people of my section of the country, particularly those who have honored me with their support for these many years, but of all right-thinking people everywhere. I shall consider it a privilege to aid in the effort to restore to these people sane and sensible conditions of government and its control. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

CONSENT CALENDAR

PROTECTION OF THE NORTHERN PACIFIC HALIBUT FISHERY

The Clerk called the next bill, H. R. 6149, for the protection of the northern Pacific halibut fishery.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the bill S. 1984 may be considered in lieu of this House bill. The Senate bill carries certain slight changes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman if the Senate bill is identical with the House bill?

Mr. BLAND. It is practically identical. I have had it looked over. There are, for instance, such changes as this: On page 8, line 17, of the Senate bill the word "hereof" is used instead of the words "of this act." In another place the words "this act" are used instead of the phrase "such provisions of law", and there is a slight change of subsection (c) of section 6. The changes are not substantial at all.

Mr. McFARLANE. Mr. Speaker, reserving the right to object, will the gentleman kindly explain this bill?

Mr. BLAND. The general purpose of this bill is to carry out the halibut convention, which deals with the catch of halibut. It is an international convention that was made many years ago. Recently some changes have been made in the convention. These changes have been ratified by the Senate and by Canada. The result is that unless this bill is passed, under the terms of that old law there may be some question about the enforcement of the old law. In order to provide proper enforcement it is necessary to pass this bill. It was so reported by the State Department and by the Bureau of Fisheries.

The SPEAKER. Is there objection to the consideration of the Senate bill?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That this act may be cited as the "Northern Pacific Halibut Act of 1937."

SEC. 2. When used in this act—

(a) Convention: The word "Convention" means the convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January 1937, and shall include the regulations of the International Fisheries Commission promulgated thereunder.

(b) Commission: The word "Commission" means the International Fisheries Commission provided for by article III of the Convention.

(c) Person: The word "person" includes partnerships, associations, and corporations.

(d) Territorial waters of the United States: The term "Territorial waters of the United States" means the territorial waters contiguous to the western coast of the United States and the territorial waters contiguous to the southern and western coasts of Alaska.

(e) Territorial waters of Canada: The term "territorial waters of Canada" means the territorial waters contiguous to the western coast of Canada.

(f) Convention waters: The term "Convention waters" means the territorial waters of the United States, the territorial waters of Canada, and the high seas of the Northern Pacific Ocean and the Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.

(g) Halibut: The word "halibut" means the species of *Hippoglossus* inhabiting Convention waters.

(h) Vessel: The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.

SEC. 3. It shall be unlawful for—

(a) any person other than a national or inhabitant of the United States to catch or attempt to catch any halibut in the territorial waters of the United States;

(b) any person to transfer to or to receive upon any vessel of the United States, or to bring to any place within the jurisdiction of the United States any halibut caught in Convention waters by the use of any vessel of a nation not a party to the Convention, or caught in Convention waters by any national or inhabitant of the United States or Canada in violation of the Convention or of this act;

(c) any national or inhabitant of the United States to catch, attempt to catch, or to possess any halibut in the territorial waters of the United States or in Convention waters in violation of any provisions of the Convention or of this act;

(d) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel, other than a vessel of the United States or Canada, in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in Convention waters or the territorial waters of the United States or Canada;

(e) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel of the United States or Canada in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in violation of any provision of the Convention or of this act;

(f) any person within the territory or jurisdiction of the United States or any national or inhabitant of the United States within Convention waters knowingly to have or have had in his possession any halibut taken, transferred, received, or brought in in violation of any provision of the Convention or of this act;

(g) any person to depart from any place within the jurisdiction of the United States in any vessel which departs from such place in violation of the Convention or of this act;

(h) any person in the territorial waters of the United States or any national or inhabitant of the United States in convention waters to catch or attempt to catch any halibut, or to possess any halibut caught incidentally to fishing for other species of fish by the use of or in any vessel required by the Convention to have on board any license or permit unless such vessel shall have on board a license or permit which shall comply with all applicable requirements of the Convention, and which shall be available for inspection at any time by any officer authorized to enforce the Convention or by any representative of the Commission;

(i) any person to take, retain, land, or possess any halibut caught incidentally to fishing for other species of fish, in violation of any provision of the Convention or of this act.

SEC. 4. It shall be unlawful for the master or owner or person in charge of any vessel or any other person required by the Convention to make, keep, or furnish any record or report, to fail to do so, or to refuse to permit any officer authorized to enforce the Convention or any representative of the Commission to examine and inspect any such record or report at any time.

SEC. 5. (a) The provisions of the Convention and of this act and any regulations issued under this act shall be enforced by the Coast Guard, the Customs Service, and the Bureau of Fisheries. For such purposes any officer of the Coast Guard, Customs, or Fisheries may at any time go on board of any vessel in territorial waters of the United States, or any vessel of the United States or Canada in Convention waters, except in the territorial waters of Canada, to address inquiries to those on board and to examine, inspect, and search the vessel and every part thereof and any person, trunk, package, or cargo on board, and to this end may halt and stop such vessel, and use all necessary force to compel compliance.

(b) Whenever it appears to any such officer that any person, other than a national or inhabitant of Canada, on any vessel of the United States is violating or has violated any provision of the Convention or of this act, he shall arrest such person and seize any such vessel employed in such violation. If any such person on any such vessel of the United States is a national or inhabitant of Canada, such person shall be detained and shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention or at such other port or place as such officers of the United States and of Canada may agree upon.

(c) Whenever it appears to any such officer of the United States that any person, other than a national or inhabitant of the United States, on any vessel of Canada in Convention waters, except in the territorial waters of Canada, is violating or has violated any provision of the Convention, such person, and any such vessel employed in such violation, shall be detained and such

person and such vessel shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention, or at such other port or place as such officers of the United States and of Canada may agree upon. If any such person on any such vessel of Canada is a national or inhabitant of the United States, such person shall be arrested as provided for in subsection (b) of this section.

(d) Officers or employees of the Coast Guard, Customs, and Fisheries may be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be produced compatibly with the public interest and as may be considered essential to the prosecution in Canada of any violation of the provisions of the Convention or any Canadian law for the enforcement thereof when requested by the appropriate Canadian authorities in the manner prescribed in article V of the convention to suppress smuggling concluded between the United States and Canada on June 6, 1924 (44 Stat. (pt. 3), 2097).

SEC. 6. (a) Any person violating any provision of section 3 of this act upon conviction shall be fined not more than \$1,000 nor less than \$100 or be imprisoned for not more than 1 year, or both.

(b) The cargo of halibut of every vessel employed in any manner in connection with the violation of any provision of section 3 of this act shall be forfeited; upon a second violation of the provisions of section 3 of this act, every such vessel, including its tackle, apparel, furniture, and stores may be forfeited and the cargo of halibut of every such vessel shall be forfeited; and, upon a third or subsequent violation of the provisions of section 3 of this act, every such vessel, including its tackle, apparel, furniture, cargo, and stores shall be forfeited.

(c) All provisions of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this act: *Provided*, That except as provided in section 5 hereof all rights, powers, and duties conferred or imposed by this act upon any officer or employee of the Treasury Department shall, for the purposes of this act, be exercised or performed by the Secretary of Commerce or by such persons as he may designate.

SEC. 7. Any person violating section 4 of this act shall be subject to a penalty of \$50 for each such violation. The Secretary of Commerce is authorized and empowered to mitigate or remit any such penalty in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

SEC. 8. None of the prohibitions contained in this act shall apply to the Commission or its agents when engaged in any scientific investigation.

SEC. 9. The Secretary of the Treasury and the Secretary of Commerce are authorized to make such joint rules and regulations as may be necessary to carry out the provisions of this act.

SEC. 10. This act shall take effect on the date of exchange of ratifications of the Convention signed by the United States of America and Canada on January 29, 1937, for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, unless such date shall be prior to the date of approval of this act, in which case it shall take effect immediately.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 6149) were laid on the table.

INSTRUCTIONS TO JURIES IN FEDERAL COURTS

The Clerk called the next bill, H. R. 4721, relative to pleading and practice in civil and criminal causes in the district courts of continental United States.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That upon the trial of any case, civil or criminal, before a jury, in any district court of continental United States, or in any other Federal court of the continental United States, authorized to try cases with the aid of a jury, the practice and procedure in such courts, including the granting of instructions to the jury, shall be the same as is followed in the State courts of the State in which such trial may be had.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That upon the trial of any case, civil or criminal, before a jury, in any district court of continental United States, or in any other Federal court of the continental United States, authorized to try cases with the aid of a jury, the form, manner, and time of giving and granting instructions to the jury shall be governed by the law and practice in the State courts of the State in which such trial may be had, and the judge shall make no comment upon the weight, sufficiency, or credibility of the evidence or any part thereof, or upon the character, appearance, demeanor, or credibil-

ity of any witness or party, unless such comment is authorized in trials of such cases by the law and practice in the State courts of the State where such trial is had."

Mr. WOLCOTT. Mr. Speaker, I rise in opposition to the committee amendment for the purpose of asking the author of the bill if consideration has been given to the wording on page 2, line 9. As I understand the purpose of the bill, it is to make the rules concerning the charging of juries in district courts the same as the rules in the State courts.

Mr. RAMSAY. That is right.

Mr. WOLCOTT. Would it not be better language and more understandable if the words "unless such", on page 2, line 9, were stricken out and the words "except as" substituted?

Mr. RAMSAY. The gentleman's suggestion is agreeable to me.

Mr. WOLCOTT. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. Wolcott to the committee amendment: Page 2, line 9, strike out the words "unless such" and insert in lieu thereof "except as."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended to read: "A bill relative to granting and giving instructions in civil and criminal cases in the district courts of continental United States."

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF INAUGURATION OF GEORGE WASHINGTON AS FIRST PRESIDENT OF THE UNITED STATES

The Clerk called House Joint Resolution 366, providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fiftieth anniversary of the inauguration of George Washington as first President of the United States and authorizing the President to invite foreign countries to participate therein.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BLOOM. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, I object.

COMMEMORATIVE 50-CENT PIECES OF OPENING OF GOLDEN GATE BRIDGE

The Clerk called the next bill, H. R. 4087, to reduce by 100,000 the number of 50-cent pieces authorized to be coined in celebration of the opening of the San Francisco-Oakland Bay Bridge, and to authorize the coinage of not to exceed 100,000 50-cent pieces in celebration of the opening of the Golden Gate Bridge.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to authorize the coinage of 50-cent pieces in celebration of the opening of the San Francisco-Oakland Bay Bridge", approved June 26, 1936, is amended by striking out the words "two hundred thousand silver 50-cent pieces" and inserting in lieu thereof the words "one hundred thousand silver 50-cent pieces."

Sec. 2. In celebration of the opening of the Golden Gate Bridge, San Francisco, Calif., there shall be coined at a mint of the United States, to be designated by the Director of the Mint, not to exceed 100,000 silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the

Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Sec. 3. The coins herein authorized shall bear the date 1937, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Bank of America, upon payment by it of the par value of such coins, but not less than 25,000 such coins shall be issued to it at any one time, and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par or at a premium by such bank, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the celebration of such event.

Sec. 4. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

With the following committee amendments:

Page 2, line 2, strike out the word "a" and insert in lieu thereof the word "one."

Page 2, line 3, after the word "mint", insert the word "only."

Page 2, line 20, after the word "bank", insert a comma and the words "subject to the approval of the Director of the Mint."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION TO THE UNITED STATES AND EXTENSION OF NATURALIZATION PRIVILEGES TO ALIEN VETERANS OF THE WORLD WAR

The Clerk called the next bill, H. R. 6176, to admit to the United States and to extend naturalization privileges to alien veterans of the World War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) as used in this act, the term "alien veterans" means an individual, a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918, who is now an alien not ineligible to citizenship but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage.

(b) Terms defined in the Immigration Act of 1924 shall, when used in this act, have the meaning assigned to such terms in that act.

Sec. 2. An alien veteran shall for the purposes of the Immigration Act of 1924 be considered as a nonquota immigrant, but shall be subject to all the other provisions of that act and of the immigration laws, except that—

(a) He shall not be subject to the head tax imposed by section 2 of the Immigration Act of 1917;

(b) He shall not be required to pay any fee under section 2 or section 7 of the Immigration Act of 1924;

(c) If otherwise admissible, he shall not be excluded under section 3 of the Immigration Act of 1917, unless excluded under the provisions of that section relating to—

(1) Persons afflicted with a loathsome or dangerous contagious disease, except tuberculosis in any form;

(2) Polygamy;

(3) Prostitutes, procurers, or other like immoral persons;

(4) Contract laborers;

(5) Persons previously deported; and

(6) Persons convicted of crime.

Sec. 3. The unmarried child under 18 years of age, the wife, or the husband, of an alien veteran shall, for the purposes of the Immigration Act of 1924, be considered as a nonquota immigrant when accompanying or following within 6 months to join him, but shall be subject to all the other provisions of that act and of the immigration laws.

Sec. 4. The foregoing provisions of this act shall not apply to any alien unless the immigration visa is issued to him before the expiration of 1 year after the enactment of this act.

Sec. 5. An alien veteran admitted to the United States under this act shall not be subject to deportation on the ground that he has become a public charge.

Sec. 6. Nothing in the immigration laws shall be construed as subjecting any person to a fine for bringing to a port of the United States an alien veteran who is admissible under the terms of this act, even though such alien would be subject to exclusion if this act had not been enacted.

With the following committee amendments:

Page 3, line 1, strike out "18" and insert "21."

Page 3, line 10, strike out "1 year" and insert "2 years."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to admit to the United States certain alien veterans of the World War."

NATURALIZATION OF CERTAIN ALIEN SPOUSES OF CITIZENS OF THE UNITED STATES

The Clerk called the next bill, H. R. 6607, to provide for the naturalization of certain alien spouses of citizens of the United States, and to validate the naturalization of certain persons.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BARDEN. Mr. Speaker, reserving the right to object, may I ask the gentleman who introduced this bill, the gentleman from Alabama [Mr. SPARKMAN], to explain the bill?

Mr. SPARKMAN. Mr. Speaker, I may say that in 1934 an act was passed amending the so-called Cable Act, and an interpretation was given to the amendment uniform in all courts except two of our circuit courts and the District Court of the District of Columbia. The latter court differs with the others and this act is simply to clarify the law in order to make uniform the application of the amendment. The purpose of the amendment is to remove discrimination as between husbands and wives.

Mr. BARDEN. I am wondering why the Department of Justice, the Department of State, or some other department, was not informed about this matter and asked for a report.

Mr. SPARKMAN. I may say that the bill was drawn at the suggestion of and with the help of the Labor Department, which Department submitted a memorandum. One of their members testified before the committee at the time and stated it was desirable to accomplish this purpose.

Mr. BARDEN. Mr. Speaker, there is no report available. However, I will withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any alien who, prior to 12 o'clock noon, eastern standard time, May 24, 1934, and after September 21, 1922, married a citizen of the United States, or any alien who was married prior to 12 o'clock noon, eastern standard time, May 24, 1934, to a spouse who was naturalized during such period and during the existence of the marital relation may, if eligible to naturalization, be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

(a) No declaration of intention shall be required.

(b) In lieu of the 5-year period of residence within the United States, and the 6 months' period of residence in the county where the petitioner resided at the time of filing the petition, the petitioner shall have resided continuously in the United States, Hawaii, Alaska, or Puerto Rico for at least 1 year immediately preceding the filing of the petition.

Sec. 2. Any alien who, after 12 o'clock noon, eastern standard time, May 24, 1934, has married or shall hereafter marry a citizen of the United States, or any alien whose husband or wife was naturalized after such date and during the existence of the marital relation or shall hereafter be so naturalized may, if eligible to naturalization, be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

(a) No declaration of intention shall be required.

(b) In lieu of the 5-year period of residence within the United States, and the 6 months' period of residence in the county where the petitioner resided at the time of filing the petition, the petitioner shall have resided continuously in the United States, Hawaii, Alaska, or Puerto Rico for at least 3 years immediately preceding the filing of the petition.

Sec. 3. The naturalization of any women since 12 o'clock noon, eastern standard time, May 24, 1934, by any naturalization court of competent jurisdiction, upon proof of marriage to a citizen or the naturalization of her husband and proof of 1 year's residence in the United States is hereby validated only so far as relates to the period of residence required to be proved by such person under the naturalization laws.

Sec. 4. The naturalization of any male person after 12 o'clock noon, eastern standard time, May 24, 1934, by any naturalization court of competent jurisdiction, upon proof of marriage to a citizen of the United States after September 21, 1922, and prior to 12 o'clock noon, eastern standard time, May 24, 1934, or the naturalization during such period of his wife, and upon proof of 3 years' residence in the United States, is hereby validated only so far as relates to the period of residence required to be proved by such person under the naturalization laws and the omission by such person to make a declaration of intention.

Sec. 5. The act of September 22, 1922 (42 Stat. 1021), as amended, and the act of May 24, 1934 (48 Stat. 926), are amended from and after the effective date of this act to the extent provided in this act and not otherwise.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUSPENSION OF ANNUAL ASSESSMENT WORK ON MINING CLAIMS

The Clerk called the next bill, S. 187, providing for the suspension of annual assessment work on mining claims held by location in the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, this bill would suspend the annual assessment work on all mining claims in the United States during the year beginning at 12 o'clock, July 1, 1936, and ending at 12 o'clock, July 1, 1937, 9 days from the present time. I notice the reason why this bill has been reported out by the committee at this late time is to keep faith with those who have filed their claims but were not given notice that the policy of the Congress of suspending assessment work would be discontinued. The suspension has been approved each year since 1932.

I also notice that the committee has agreed that any further attempt to waive the annual assessment work will not be considered. I think we may consider therefore that notice is given to those holding claims upon which the assessments have been suspended that we stop right here the policy of continuing these suspensions.

Mr. O'CONNOR of Montana. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Montana.

Mr. O'CONNOR of Montana. I may say to the distinguished gentleman from Michigan I sincerely hope he will not insist upon his objection for the reason that many of the owners of small mining claims have relied upon the passage of this law. They have had no notice otherwise, and the result is they have not done their assessment work.

The policy of the suspension of the assessment work was necessary on account of the depression we have been going through. Many of the people who have had these mining claims are in the same condition now as they were then. If we do not pass this act now many of the people who own these claims would lose them and the claims would be jumped, so to speak, by other parties and it would work an injustice to the miners of our western country, particularly Montana.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. This bill is for the protection of the prospector who goes out in the hills with his burro or has gone out into the wilderness with that useful, stoical, little Asiatic beast as his sole companion, to search out the treasures of the mountains and make them available to the Nation. It is not a bill for the protection of the big mining companies. There is a provision which safeguards only a few claims for each hard-pressed individual. We have only 9 days in which to enact this legislation. While we do not expect to extend this again, I do feel we have a moral duty to offer this last-minute relief. For this reason I hope the gentleman will not insist on his objection.

Mr. ENGLEBRIGHT. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. ENGLEBRIGHT. Permit me to say to the gentleman that there are a great many prospectors and miners of extremely limited financial means throughout the country

who, in order to support themselves and families, have had to work in other capacities or apply their resources for living purposes. Many are on relief. These men in many instances have been working their claims for years and have a large investment in time and money tied up in these claims, and now have neither resources nor time element to hold their titles. Claims in many portions of the West are in the mountain regions in the snow country, which will make it impossible at this late date to perform their assessment work. At this late date for Congress to refuse to grant them the relief afforded through this bill that they fully expected to be enacted into law would do them a great injustice. Many have a life savings in their mining claims and have worked for years in an endeavor to build up and contribute to the mining industry of this country. I sincerely hope the gentleman will not object to the passage of the bill.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I should like to call attention to the exact wording here:

Notwithstanding the report of the Department, the committee recommends the passage of the bill, because prospectors were not put on notice that the practice of granting moratoriums from year to year would be discontinued. The committee agreed that any further attempt to waive the annual assessment work or payment will not be considered.

Mr. WOLCOTT. I understand if this bill is passed it may be considered by the prospectors that this is the last time we will extend this right?

Mr. CASE of South Dakota. Yes. It seems to me it is important that it be understood at this time so that they will be on notice during the coming year.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. I may say to the gentleman from Michigan [Mr. Wolcott] that as one who asked for the passage of this bill I have no quarrel with the ultimatum served by the Committee on Mines and Mining. I realize that the Government has exercised extraordinary forbearance in the matter of suspending this annual assessment work so many years in succession, and I shall not be among those who may be here in the future pressing such legislation. But the gentleman himself has stated the present urgent situation when he said that, after the expiration of 9 days, without the passage of this bill, all mining claims that are now suspending assessment work under the law will be forfeited. They should be given another year to get their houses in order, and I hope the gentleman will not press his objection.

Mr. McFARLANE. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock meridian July 1, 1936, and ending at 12 o'clock meridian July 1, 1937: Provided, That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1936: Provided further, That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian July 1, 1937, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1936: Provided further, That such suspension of assessment work shall not apply to more than 6 lode-mining claims held by the same person, nor to more than 12 lode-mining claims held by the same partnership, association, or corporation: And provided further, That such suspen-

sion of assessment work shall not apply to more than 6 placer-mining claims not to exceed 120 acres (in all) held by the same person, nor to more than 12 placer-mining claims not to exceed 240 acres (in all) held by the same partnership, association, or corporation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORMER EMPLOYEES OF THE FEDERAL SUBSISTENCE HOMESTEAD CORPORATIONS

The SPEAKER. The Clerk will call Calendar No. 264.

The Clerk called the bill (H. R. 3058) for the relief of former employees of the Federal Subsistence Homestead Corporations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I reserved the right to object and asked that this bill go to the foot of the call only for the purpose of getting some information on it. I stated at that time I should like to know what corporations were owned entirely by the Subsistence Homesteads Corporations, and how much money there was involved in the differences between the salaries of the employees of these corporations then and at the present time.

Mr. COLMER. Is this H. R. 4740?

Mr. WOLCOTT. No. This is H. R. 3058, which provides that where persons have been employed by any corporation, all of the stock of which was owned by the Federal Subsistence Homesteads Corporations of Delaware, and have been transferred to a position in the Department of the Interior, they shall be reimbursed for the difference between their salaries with the corporation from which they came and the salaries paid in a like class in the department where they are now working. What I particularly wanted to know was, What are the names of these corporations the entire stock of which was owned by the Subsistence Homesteads Corporations?

Mr. COLMER. Mr. Speaker, I regret that I cannot give the gentleman that specific information. There were a number of these corporations organized for the purpose of carrying out the Subsistence Homesteads program. Among them was one at Richmond, in my own State.

Mr. WOLCOTT. I may say to the gentleman I think that information should be in the RECORD in order that we may have the information and have some idea as to how much is involved.

Mr. COLMER. As to how many corporations there were?

Mr. WOLCOTT. As to the names of the corporations, the entire stock of which was owned by the Subsistence Homesteads Corporations, from which these employees were transferred to the Subsistence Homesteads Corporations, or any other department.

Mr. COLMER. As I have stated, I cannot give the gentleman that information.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. In view of the fact we do not have the information before us, and until it is available, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. This concludes the call of the calendar with respect to the bills eligible for consideration today.

FEDERAL SURPLUS COMMODITIES CORPORATION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that we may return to Consent Calendar No. 300, the bill (S. 2439) to extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation.

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object, and yield to the gentleman from North Carolina.

Mr. BARDEN. Mr. Speaker, the gentleman from Michigan asked that this bill be passed over when we were considering it a few minutes ago. I have since been informed that the present act will expire July 1, and that this Corporation at present is rendering a very valuable service in the potato belt, which includes my district in North Carolina, and is expected to move farther north. It has rendered very, very valuable service to the State of Florida in the citrus fruit section and to the dairy industry. In view of these facts, I thought the gentleman from Michigan would like to withdraw his objection to the bill.

Mr. WOLCOTT. I may say to the gentleman I consider this a very important bill. The Federal Surplus Commodities Corporation is a Delaware corporation, organized, as I understand it, primarily to carry out the intent of clause 2 of section 32 of the act approved August 24, 1924, which seeks to encourage domestic consumption of commodities or products by diverting them by the payment of benefits or indemnities or by other means from the normal channels of trade and commerce.

A very serious question is also involved in this bill, which may be subject to a point of order, of whether the funds appropriated by Congress to the Secretary of Agriculture may be diverted and transferred to a private corporation without a reappropriation of such funds. If this constitutes a reappropriation of the funds, it may be subject to a point of order, the Committee on Agriculture not being a committee which has the authority under our rules to appropriate money or recommend the appropriation of money.

There are so many points in this bill that I think it should be considered by the House at a time when we would have a chance to discuss it more fully than we have today. This is why I asked that the bill be passed over without prejudice.

Mr. BARDEN. At the time the gentleman made the request I was not informed of just the status of the Corporation. I may say that it is one organization which, I understand, spent only approximately 10 percent of the funds available to it out of the last appropriation and has rendered invaluable service to sections such as the citrus-fruit section of Florida, the dairy industry, and Irish-potato growers.

Mr. WOLCOTT. I do not doubt that it is true, because I understand the Corporation takes the surplus agricultural commodities and distributes them to the poor in the States, which is a very worthy undertaking.

Mr. BARDEN. We are just experiencing a bad potato situation now in North Carolina.

Mr. WOLCOTT. In that particular, also, I call the attention of the House to the fact that we on this side of the aisle have been belabored with criticism of the Farm Board since 1932. Your President's election was in part based on his opposition to the Farm Board.

Mr. BARDEN. I do not care to get into that argument at this time. We are talking about the Surplus Commodities Corporation.

Mr. WOLCOTT. The Commodity Credit Corporation is doing exactly the same work now that the Farm Board was set up to do in the Hoover administration.

Mr. BARDEN. I disagree with the gentleman on that. I think if the gentleman will investigate, he will find his statement is entirely unjustified.

Mr. WOLCOTT. Mr. Speaker, we should consider this bill more thoroughly in the House.

Mr. BOILEAU. Many people who are interested in the dairy problem confronting this country are of the opinion more benefit has been derived by the dairy industry of the gentleman's State and my State through the operations of this agency than all the other programs put together. I have personally received communications and requests from those who are interested in dairying to support this legislation. I hope the gentleman will not ultimately force the House to delay its consideration.

Mr. WOLCOTT. I may say to the gentleman I think this bill is one of the best sounding boards to show what this Administration is doing in my State and the gentleman's State of all that has come before us, and this is the reason

we want time to talk about it. I doubt not that if the bill is considered on the floor and there is time for it, I will take the floor and say what I have already said, that I think in all probability this is a pretty good set-up. However, I am surprised nobody from the Committee on Appropriations, which has always been so jealous of its jurisdiction, has raised the point of order I suggested awhile ago. Merely for the purpose of protecting the integrity of one of our greatest committees I want to give further consideration to this bill, and determine if it is not one, perhaps, for the Committee on Appropriations to consider as well as the Committee on Agriculture.

Mr. BOILEAU. I may say to the gentleman that the committee had hearings, which, while not extensive, were sufficient, and at the request of several Republican members of the committee we had additional hearings, at which time I felt every member of the committee was satisfied the bill should be passed.

Mr. WOLCOTT. I have no doubt that all that the gentleman has said, and all that all the gentlemen here have said, is true, but I think we should be given an opportunity to express ourselves on the bill; and I may add that probably I would be one who would express himself as favorable to a continuation of the Federal Surplus Commodity Corporation, but I am not so sure I am in favor of transferring funds appropriated to the Department of Agriculture to a private corporation without some discussion on this floor by which the fact is generally known and recorded that that is what we are doing. I may say now that I think this Federal Surplus Commodities Corporation is doing a wonderfully fine work, but I think we should either make appropriations directly to it or know most definitely we are transferring these funds from the Department of Agriculture to this Corporation to do the same thing which we have been so often criticized for trying to do under the Farm Board. I do not hold any brief for the old Farm Board, but I do want to stop you gentlemen from criticizing the Republican administration for setting up the Farm Board and then trying to prevent us from criticizing your administration for setting up similar agencies to do the same thing.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina to return to the bill?

Mr. WOLCOTT. Mr. Speaker, I do not object to returning to the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. BOILEAU. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I make a point of order against consideration of the bill—

The SPEAKER. The gentleman cannot make a point of order against the bill because it is not before the House.

Mr. WOLCOTT. Then I object to the present consideration of the bill, Mr. Speaker.

THE LATE HONORABLE FRANKLIN W. FORT

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, it is with profound sorrow I announce to the membership of the House the death of our former colleague, Franklin W. Fort, who served in this House as a Representative from the State of New Jersey.

During his service he took an active part in the proceedings of the House. He rendered outstanding and distinguished service to the congressional district he represented and to the country at large. He always gave careful, studious, and serious consideration to every problem that came before the House for action. He never treated any matter lightly.

When he had made a decision he was zealous in upholding the principle involved. His ability and honesty of purpose were recognized by all and gained for him the respect and confidence of his colleagues.

Nor are we unmindful of all the splendid qualities of heart and mind he possessed, and the friendly disposition that made for him a host of enduring friends in this House, on both sides of the aisle who, today, mourn his passing away.

RAILROAD RETIREMENT ACT

Mr. CROSSER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7519) to amend an act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc.,

PART I

That the act of August 29, 1935, entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", be, and it is hereby, amended to read as follows:

"DEFINITIONS"

"SECTION 1. For the purposes of this act—

"(a) The term 'employer' means any carrier (as defined in subsection (m) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however,* That the term 'employer' shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Board, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term 'employer' shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus, weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transportation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and national legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

"(b) The term 'employee' means (1) any individual in the service of one or more employers for compensation, (2) any individual who is in the employment relation to one or more employers, and (3) an employee representative. The term 'employee' shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after the enactment date. The term 'employee representative' means any officer or official representative of a railway labor organization other than a labor organization included in the term 'employer' as defined in section 1 (a) who before or after the enactment date was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

"(c) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided, however,* That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

"(d) An individual is in the employment relation to an employer if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the employer: *Provided, however,* That an individual shall

not be deemed to have been on the enactment date in the employment relation to an employer not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to the enactment date, he rendered service to it in the United States.

"(e) The term 'United States', when used in a geographical sense, means the States, Alaska, Hawaii, and the District of Columbia.

"(f) The term 'years of service' shall mean the number of years an individual as an employee shall have rendered service to one or more employers for compensation or received remuneration for time lost, and shall be computed in accordance with the provisions of section 3 (b): *Provided, however,* That where service prior to the enactment date may be included in the computation of years of service as provided in subdivision (1) of section 3 (b), it may be included as to service rendered to a person which was on the enactment date an employer, irrespective of whether, at the time such service was rendered, such person was an employer; and it may also be included as to service rendered to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which, on the enactment date, was a carrier as defined in subsection (m), irrespective of whether, at the time such service was rendered to such predecessor, it was an employer. Twelve calendar months, consecutive or otherwise, in each of which an employee has rendered such service or received such wages for time lost, shall constitute a year of service. An ultimate fraction of 6 months or more shall be taken as 1 year. An ultimate fraction of less than 6 months shall be taken at its actual value.

"(g) The term 'annuity' means a monthly sum which is payable on the 1st day of each calendar month for the accrual during the preceding calendar month.

"(h) The term 'compensation' means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of any tax now or hereafter imposed with respect to the compensation of such employee.

"(i) The term 'Board' means the Railroad Retirement Board.

"(j) The term 'enactment date' means the 29th day of August 1935.

"(k) The term 'company' includes corporations, associations, and joint-stock companies.

"(l) The term 'employee' includes an officer of an employer.

"(m) The term 'carrier' means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act.

"(n) The term 'person' means an individual, a partnership, an association, a joint-stock company, or a corporation.

"ANNUITIES"

"SEC. 2. (a) The following-described individuals, if they shall have been employees on or after the enactment date, shall, subject to the conditions set forth in subsections (b), (c), and (d), be eligible for annuities after they shall have ceased to render compensated service to any person, whether or not an employer as defined in section 1 (a) (but with the right to engage in other employment to the extent not prohibited by subsection (d)):

"1. Individuals who on or after the enactment date shall be 65 years of age or over.

"2. Individuals who on or after the enactment date shall be 60 years of age or over and (a) either have completed 30 years of service or (b) have become totally and permanently disabled for regular employment for hire, but the annuity of such individuals shall be reduced one one-hundred-and-eightieth for each calendar month that they are under age 65 when the annuity begins to accrue.

"3. Individuals, without regard to age, who on or after the enactment date are totally and permanently disabled for regular employment for hire and shall have completed 30 years of service.

"Such satisfactory proof of the permanent total disability and of the continuance of such disability until age 65 shall be made from time to time as may be prescribed by the Board. If the individual fails to comply with the requirements prescribed by the Board as to proof of the disability or the continuance of the disability until age 65, his right to an annuity under subdivision 2 or subdivision 3 of this subsection by reason of such disability shall, except for good cause shown to the Board, cease, but without prejudice to his rights under subdivisions 1 or 2 (a) of this subsection. If, prior to attaining age 65, such an individual recovers and is no longer disabled for regular employment for hire, his annuity shall cease upon the last day of the month in which he so recovers and if after such recovery the individual is granted an annuity under subdivisions 1 or 2 (a) of this subsection, the amount of such annuity shall be reduced on an actuarial basis to be determined by the Board so as to compensate for the annuity previously received under this subdivision.

"(b) An annuity shall be paid only if the applicant shall have relinquished such rights as he may have to return to the service of an employer and of the person by whom he was last employed; but this requirement shall not apply to the individuals mentioned in subdivision 2 (b) and subdivision 3 of subsection (a) prior to attaining age 65.

"(c) An annuity shall begin to accrue as of a date to be specified in a written application (to be made in such manner and form as may be prescribed by the Board and to be signed by the individual entitled thereto), but—

"(1) not before the date following the last day of compensated service of the applicant, and

"(2) not more than 60 days before the filing of the application.

"(d) No annuity shall be paid with respect to any month in which an individual in receipt of an annuity hereunder shall render compensated service to an employer or to the last person by whom he was employed prior to the date on which the annuity began to accrue. Individuals receiving annuities shall report to the Board immediately all such compensated service.

"COMPUTATION OF ANNUITIES

"Sec. 3. (a) The annuity shall be computed by multiplying an individual's 'years of service' by the following percentages of his 'monthly compensation': 2 percent of the first \$50; 1½ percent of the next \$100; and 1 percent of the next \$150.

"(b) The 'years of service' of an individual shall be determined as follows:

"(1) In the case of an individual who was an employee on the enactment date, the years of service shall include all his service subsequent to December 31, 1936, and if the total number of such years is less than 30, then the years of service shall also include his service prior to January 1, 1937, but not so as to make his total years of service exceed 30: *Provided, however*, That with respect to any such individual who rendered service to any employer after January 1, 1937, and who on the enactment date was not an employee of an employer conducting the principal part of its business in the United States no greater proportion of his service rendered prior to January 1, 1937, shall be included in his 'years of service' than the proportion which his total compensation (including compensation in any month in excess of \$300) for service after January 1, 1937, rendered anywhere to an employer conducting the principal part of its business in the United States or rendered in the United States to any other employer bears to his total compensation (including compensation in any month in excess of \$300) for service rendered anywhere to an employer after January 1, 1937.

"(2) In all other cases, the years of service shall include only the service subsequent to December 31, 1936.

"(3) Where the years of service include only part of the service prior to January 1, 1937, the part included shall be taken in reverse order beginning with the last calendar month of such service.

"(4) In no case shall the years of service include any service rendered after June 30, 1937, by an individual who is 65 years of age or over, except for the purpose of computing his monthly compensation as provided in subsection (c) of this section.

"(c) The 'monthly compensation' shall be the average compensation earned by an employee in calendar months included in his 'years of service', except (1) that with respect to service prior to January 1, 1937, the monthly compensation shall be the average compensation earned by an employee in calendar months included in his years of service in the years 1924–31, and (2) that where service in the period 1924–31 is, in the judgment of the Board, insufficient to constitute a fair and equitable basis for determining the monthly compensation for service prior to January 1, 1937, the Board shall determine the monthly compensation for such service in such manner as in its judgment shall be just and equitable. If the employee earned compensation after June 30, 1937, and after the last day of the month in which he attained age 65, such compensation shall be disregarded if the result of taking such compensation into account would be to diminish his annuity. In computing the monthly compensation, no part of any month's compensation in excess of \$300 shall be recognized.

"(d) The annuity of an individual who shall have been an employee representative shall be determined in the same manner and with the same effect as if the employee organization by which he shall have been employed were an employer.

"(e) If the individual was an employee when he attained age 65 and has completed 20 years of service, the minimum annuity payable to him shall be \$40 per month: *Provided, however*, That if the monthly compensation on which his annuity is based is less than \$50, his annuity shall be 80 percent of such monthly compensation, except that if such 80 percent is less than \$20, the annuity shall be \$20 or the same amount as the monthly compensation, whichever is less. In no case shall the value of the annuity be less than the value of the additional old-age benefit he would receive under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined therein.

"(f) Annuity payments due an individual but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 4; otherwise they shall be paid to the same individual or individuals who may be entitled to receive any death benefit that may be payable under the provisions of section 5.

"(g) No annuity shall accrue with respect to the calendar month in which an annuitant dies.

"(h) After an annuity has begun to accrue, it shall not be subject to recomputation on account of service rendered thereafter to an employer, except as provided in subdivision 3 of section 2 (a).

"(i) If an annuity is less than \$2.50, it may, in the discretion of the Board, be paid quarterly or in a lump sum equal to its commuted value as determined by the Board.

"JOINT AND SURVIVOR ANNUITY

"Sec. 4. An individual whose annuity shall not have begun to accrue may elect prior to January 1, 1938, or at least 5 years before the date on which his annuity begins to accrue, or upon furnishing proof of health satisfactory to the Board, to have the value of his annuity apply to the payment of a reduced annuity to him during life and an annuity after his death to his spouse during life equal to, or 75 percent of, or 50 percent of such reduced annuity. The amounts of the two annuities shall be such that their combined actuarial value as determined by the Board shall be the same as the actuarial value of the single-life annuity to which the individual would otherwise be entitled. Such election shall be irrevocable, except that it shall become inoperative if the individual or the spouse dies before the annuity begins to accrue or if the individual's marriage is dissolved or if the individual shall be granted an annuity under subdivision 3 of section 2 (a): *Provided, however*, That the individual may, if his marriage is dissolved before the date his annuity begins to accrue, or if his annuity under subdivision 3 of section 2 (a) ceases because of failure to make the required proof of disability, make a new election under the conditions stated in the first sentence of this subsection. The annuity of a spouse under this subsection shall begin to accrue on the first day of the calendar month in which the death of the individual occurs.

"DEATH BENEFITS

"Sec. 5. The following benefits shall be paid with respect to the death of individuals who were employees after December 31, 1936:

"(a) If the deceased should not be survived by a widow or widower who is entitled to an annuity under an election made pursuant to the provisions of section 4, there shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 percent of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments due the deceased but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the deceased, the death benefit shall be paid to the legal representative of the deceased.

"(b) If the deceased should be survived by a widow or widower entitled to an annuity under an election made pursuant to the provisions of section 4, there shall, on the death of the widow or widower, be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 percent of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments actually made to the widow or widower under an election made pursuant to the provisions of section 4 and under the provisions of section 3 (f), plus the total of the annuity payments due the widow or widower but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the widow or widower, the death benefit shall be paid to the legal representative of the deceased.

"In computing the aggregate compensation for the purpose of this section, no part of any month's earnings in excess of \$300 shall be recognized.

"PENSION TO INDIVIDUALS ON PENSION OF GRATUITY ROLLS OF EMPLOYERS

"Sec. 6. (a) Beginning July 1, 1937, each individual then on the pension or gratuity roll of an employer by reason of his employment who was on such roll on March 1, 1937, shall be paid on July 1, 1937, and on the 1st day of each calendar month thereafter during his life, a pension at the same rate as the pension or gratuity granted to him by the employer without diminution by reason of a general reduction or readjustment made subsequent to December 31, 1930, and applicable to pensioners of the employer: *Provided, however*, That no pension payable under this section shall exceed \$120 monthly; *And provided further*, That no individual on the pension or gratuity roll of an employer not conducting the principal part of its business in the United States shall be paid a pension under this section unless, in the judgment of the Board, he was, on March 1, 1937, carried on the pension or gratuity roll as a United States pensioner.

"(b) No individual covered by this section who was on July 1, 1937, eligible for an annuity under this act or the Railroad Retirement Act of 1935, based in whole or in part on service rendered prior to January 1, 1937, shall receive a pension payment under this section subsequent to the payment due on October 1, 1937, or due on the 1st day of the month in which the application for an annuity of such individual has been awarded and certified by the Board, whichever of the two dates is earlier. The annuity claims of such individuals who receive pension payments under this section shall be adjudicated in the same manner and with the same effect as if no pension payments had been made: *Provided, however*, That no such individual shall be entitled to receive both a pension under this section and an annuity under this act or the Railroad Retirement Act of 1935, and in the event pension payments have been made to any such individual in any month in which such individual is entitled to an annuity under this act or the Railroad Retirement Act of 1935, the difference between the amounts paid as pensions and the amounts due as annuities

shall be adjusted in accordance with such rules and regulations as the Board may deem just and reasonable.

"(c) The pension paid under this section shall not be considered to be in substitution for that part of the pension or gratuity from the employer which is in excess of a pension or gratuity at the rate of \$120 a month.

"Sec. 7. Nothing in this act or the Railroad Retirement Act of 1935 shall be taken as restricting or discouraging payment by employers to retired employees of pensions or gratuities in addition to the annuities or pensions paid to such employees under such acts, nor shall such acts be taken as terminating any trust heretofore created for the payment of such pensions or gratuities.

"CONCLUSIVENESS OF RETURNS OF COMPENSATION AND OF FAILURE TO MAKE RETURNS OF COMPENSATION"

"Sec. 8. Employers shall file with the Board, in such manner and form and at such times as the Board by rules and regulations may prescribe, returns under oath of monthly compensation of employees, and, if the Board shall so require, shall furnish employees with statements of their monthly compensation as reported to the Board. Any such return shall be conclusive as to the amount of compensation earned by an employee during each month covered by the return, and the fact that no return was made of the compensation claimed to be earned by an employee during a particular calendar month shall be taken as conclusive that no compensation was earned by such employee during that month, unless the error in the amount of compensation returned in the one case, or the failure to make return of the compensation in the other case, is called to the attention of the Board within 4 years after the last date on which return of the compensation was required to be made.

"ERRONEOUS PAYMENTS"

"Sec. 9. (a) If the Board finds that at any time more or less than the correct amount of any annuity or pension has theretofore been paid to any individual under this act or the Railroad Retirement Act of 1935, then, under regulations made by the Board, proper adjustments shall be made in connection with subsequent payments under such acts to the same individual.

"(b) There shall be no recovery of payments of annuities, death benefits, or pensions from any person who, in the judgment of the Board, is without fault and if, in the judgment of the Board, such recovery would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

"RETIREMENT BOARD"

"Personnel"

"Sec. 10. (a) There is hereby established as an independent agency in the executive branch of the Government a Railroad Retirement Board, to be composed of three members appointed by the President, by and with the advice and consent of the Senate. Each member shall hold office for a term of 5 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of the term and the terms of office of the members first taking office after the enactment date shall expire, as designated by the President, one at the end of 2 years, one at the end of 3 years, and one at the end of 4 years after the enactment date. One member shall be appointed from recommendations made by representatives of the employees and one member shall be appointed from recommendations made by representatives of carriers, in both cases as the President shall direct, so as to provide representation on the Board satisfactory to the largest number, respectively, of employees and carriers concerned. One member, who shall be the chairman of the Board, shall be appointed initially for a term of 2 years without recommendation by either carriers or employees and shall not be in the employment of or be pecuniarily or otherwise interested in any employer or organization of employees. Vacancies in the Board shall not impair the powers or affect the duties of the Board or of the remaining members of the Board, of whom a majority of those in office shall constitute a quorum for the transaction of business. Each of said members shall receive a salary of \$10,000 per year, together with necessary traveling expenses and subsistence expenses, or per-diem allowance in lieu thereof, while away from the principal office of the Board on official duties.

"Duties"

"(b) 1. The Board shall have and exercise all the duties and powers necessary to administer this act and the Railroad Retirement Act of 1935. The Board shall take such steps as may be necessary to enforce such acts and make awards and certify payments. Decisions by the Board upon issues of law and fact relating to pensions, annuities, or death benefits shall not be subject to review by any other administrative or accounting officer, agent, or employee of the United States.

"2. If the Board finds that an applicant is entitled to an annuity under the provisions of this act or the Railroad Retirement Act of 1935, then the Board shall make an award fixing the amount of the annuity and shall certify the payment thereof as hereinafter provided; otherwise the application shall be denied.

"3. The Board shall from time to time certify to the Secretary of the Treasury the name and address of each individual entitled to receive a payment, the amount of such payment, and the time at which it should be made, and the Secretary of the Treasury through the Division of Disbursements of the Treasury De-

partment, and prior to audit by the General Accounting Office, shall make payment in accordance with the certification by the Board.

"4. The Board shall establish and promulgate rules and regulations to provide for the adjustment of all controversial matters arising in the administration of such acts, with power as a Board or through any member or designated subordinate thereof to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations in any matter involving annuities or other payments, and shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities, and employ such individuals and provide for their compensation and expenses as may be necessary for the proper discharge of its functions. In the employment of such individuals under the civil-service laws and rules the Board shall give preference over all others to individuals who have had experience in railroad service, if, in the judgment of the Board, they possess the qualifications necessary for the proper discharge of the duties of the positions to which they are to be appointed. All rules, regulations, or decisions of the Board shall require the approval of at least two members, except as provided in subdivision 5 of this subsection, and they shall be entered upon the records of the Board, which shall be a public record. Notice of a decision of the Board, or of an employee thereof, shall be communicated to the applicant in writing within 30 days after such decision shall have been made. The Board shall gather, keep, compile, and publish in convenient form such records and data as may be necessary to assure proper administration of such acts. The Board shall have power to require all employers and employees and any officer, board, commission, or other agency of the United States to furnish such information and records as shall be necessary for the administration of such acts. The several district courts of the United States and the District Court of the United States for the District of Columbia shall have jurisdiction upon suit by the Board to compel obedience to any order of the Board issued pursuant to this section. The orders, writs, and processes of the District Court of the United States for the District of Columbia in such suits may run and be served anywhere in the United States. The Board shall make an annual report to the President of the United States to be submitted to Congress. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

"5. The Board is authorized to delegate to any of its employees the power to make decisions on applications for annuities or death benefits in accordance with rules and regulations prescribed by the Board: *Provided, however*, That any person aggrieved by a decision so made shall have the right to appeal to the Board.

"COURT JURISDICTION"

"Sec. 11. An employee or other person aggrieved may apply to the district court of any district wherein the Board may have established an office or to the District Court of the United States for the District of Columbia to compel the Board (1) to set aside an action or decision of the Board claimed to be in violation of a legal right of the applicant or (2) to take action or to make a decision necessary for the enforcement of a legal right of the applicant. Such a court shall have jurisdiction to entertain such application and to grant appropriate relief. The decision of the Board with respect to an annuity, pension, or death benefit shall not be subject to review by any court unless suit is commenced within 1 year after the decision shall have been entered upon the records of the Board and communicated to the person claiming the annuity, pension, or death benefit. The jurisdiction herein specifically conferred upon the Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this act or the Railroad Retirement Act of 1935.

"EXEMPTION"

"Sec. 12. No annuity or pension payment shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever, nor shall the payment thereof be anticipated.

"PENALTIES"

"Sec. 13. Any officer or agent of an employer, as the word 'employer' is hereinbefore defined, or any employee acting in his own behalf, or any individual whether or not of the character hereinbefore defined, who shall willfully fail or refuse to make any report or furnish any information required, in accordance with the provisions of section 10 (b) 4, by the Board in the administration of this act or the Railroad Retirement Act of 1935, or who shall knowingly make or cause to be made any false or fraudulent statement or report when a statement or report is required to be made for the purpose of such acts, or who shall knowingly make or aid in making any false or fraudulent statement or claim for the purpose of causing an award or payment under such acts, shall be punished by a fine of not more than \$10,000 or by imprisonment not exceeding 1 year.

"SEPARABILITY"

"Sec. 14. If any provision of this act or the Railroad Retirement Act of 1935, or the application thereof to any person or circumstance, should be held invalid, the remainder of such act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

"RAILROAD RETIREMENT ACCOUNT"

"SEC. 15. (a) There is hereby created an account in the Treasury of the United States to be known as the Railroad Retirement Account. There is hereby authorized to be appropriated to the account for each fiscal year, beginning with the fiscal year ending June 30, 1937, as an annual premium an amount sufficient, with a reasonable margin for contingencies, to provide for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this act and the Railroad Retirement Act of 1935. Such amount shall be based on such tables of mortality as the Railroad Retirement Board shall from time to time adopt, and on an interest rate of 3 percent per annum compounded annually. The Railroad Retirement Board shall submit annually to the Bureau of the Budget an estimate of the appropriation to be made to the account.

"(b) At the request and direction of the Board, it shall be the duty of the Secretary of the Treasury to invest such portion of the amounts credited to the account as, in the judgment of the Board, is not immediately required for the payment of annuities, pensions, and death benefits in accordance with the provisions of this act and the Railroad Retirement Act of 1935 in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired on original issue at par or by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the account. Such special obligations shall bear interest at the rate of 3 percent per annum. Obligations other than such special obligations may be acquired for the account only on such terms as to provide an investment yield of not less than 3 percent per annum. It shall be the duty of the Secretary of the Treasury to sell and dispose of obligations in the account if it shall be in the interest of the account so to do. Any obligations acquired by the account, except special obligations issued exclusively to the account, may be sold at the market price. Special obligations issued exclusively to the account shall, at the request of the Board, be redeemed at par plus accrued interest. All amounts credited to the account shall be available for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this act and the Railroad Retirement Act of 1935.

"(c) The Board is hereby authorized and directed to select two actuaries, one from recommendations made by representatives of employees and the other from recommendations made by representatives of carriers. These actuaries, along with a third who shall be designated by the Secretary of the Treasury, shall be known as the Actuarial Advisory Committee with respect to the Railroad Retirement Account. The committee shall examine the actuarial reports and estimates made by the Railroad Retirement Board and shall have authority to recommend to the Board such changes in actuarial methods as they may deem necessary. The compensation of the members of the committee of actuaries, exclusive of the member designated by the Secretary, shall be fixed by the Board on a per-diem basis.

"(d) The Board shall include in its annual report a statement of the status and the operations of the Railroad Retirement Account. At intervals not longer than 3 years the Board shall make an estimate of the liabilities created by this act and the Railroad Retirement Act of 1935 and shall include such estimate in its annual report. Such report shall also contain an estimate of the reduction in liabilities under title II of the Social Security Act arising as a result of the maintenance of this act and the Railroad Retirement Act of 1935.

"APPROPRIATION FOR ADMINISTRATIVE EXPENSES"

"SEC. 16. There is hereby authorized to be appropriated from time to time such sums as may be necessary to provide for the expenses of the Board in administering the provisions of this act and the Railroad Retirement Act of 1935.

"SOCIAL SECURITY ACT"

"SEC. 17. The term 'employment', as defined in subsection (b) of section 210 of title II of the Social Security Act, shall not include service performed by an individual as an employee as defined in section 1 (b).

"FREE TRANSPORTATION"

"SEC. 18. It shall not be unlawful for carriers by railroad subject to this act to furnish free transportation to individuals receiving annuities or pensions under this act or the Railroad Retirement Act of 1935 in the same manner as such transportation is furnished to employees in their service."

PART II

SECTION 201. The act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935, as in force prior to its amendment by part I of this act, may be cited as the "Railroad Retirement Act of 1935"; and such act, as amended by part I of this act, may be cited as the "Railroad Retirement Act of 1937."

SEC. 202. The claims of individuals (and the claims of spouses and next of kin of such individuals) who, prior to the date of the enactment of this act, relinquished all rights to return to the

service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be employee representatives as defined therein, and became eligible for annuities under such act, shall be adjudicated by the Board in the same manner and with the same effect as if this act had not been enacted: *Provided, however*, That with respect to any such claims no reduction shall be made in any annuity certified after the date of the enactment of this act because of continuance in service after age 65: *And provided further*, That service rendered prior to August 29, 1935, to a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this act, irrespective of whether at the time such service was rendered such company was a carrier as defined in the Railroad Retirement Act of 1935; and service rendered prior to August 29, 1935, to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall also be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this act, irrespective of whether at the time such service was rendered such predecessor was a carrier as defined in the Railroad Retirement Act of 1935: *And provided further*, That annuity payments due an individual under the Railroad Retirement Act of 1935 but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 5 of such act; otherwise they shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased.

SEC. 203. Any individual who, prior to the date of the enactment of this act, relinquished all rights to return to the service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be an employee representative as defined in such act, and who is not eligible for an annuity under that act but who would have been eligible for an annuity under the Railroad Retirement Act of 1937 had such act been in force from and after August 29, 1935, shall have his right to an annuity adjudicated under the Railroad Retirement Act of 1937: *Provided, however*, That no such annuity shall begin prior to the date of the enactment of this act.

SEC. 204. The Railroad Retirement Act of 1935 shall continue in force and effect with respect to the rights of individuals granted annuities prior to the date of the enactment of this act.

SEC. 205. The enactment of this act shall have no effect on the status, tenure of office, or compensation of the present members, officers, and employees of the Railroad Retirement Board; except that individuals who have had experience in railroad service shall be retained in the employ of the Board, whether or not qualified under the civil-service laws and rules, if in the judgment of the Board they possess the qualifications necessary for the proper discharge of the duties of the positions which they are holding.

The SPEAKER. Is a second demanded?

Mr. MAPES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CROSSER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LEA], chairman of the Committee on Interstate and Foreign Commerce.

Mr. LEA. Mr. Speaker, in 1934 the gentleman from Ohio [Mr. CROSSER] introduced a Railroad Retirement Act which Congress passed and which was subsequently held unconstitutional in the Supreme Court by a vote of 5 to 4.

In 1935 Congress passed another retirement act which was contested in the courts, but, so far, has not been passed upon by the Supreme Court.

In December 1936 the President suggested that railway management and the men in railway industry negotiate with a view of agreeing upon a railway retirement act.

Representatives of the 21 standard railway employees' organizations representing substantially all railway employees on class I railroads participated in the negotiations. Railway management representing 98½ percent of the total mileage of class 1 railways of the United States participated in the negotiations. Class 1 railroads, as the membership of the House is aware, embrace every railroad whose annual income is over \$1,000,000.

Members of the Federal Railroad Retirement Board participated with representatives of the management and men in these conferences. Finally an agreement was reached, the substance of which was embodied in a bill brought before the Interstate and Foreign Commerce Committee of the House. As a result of the hearings and further consid-

eration of that measure by our committee a number of changes were made which were approved of by these two groups and embodied in the bill now presented to the House.

This is the most far-reaching agreement ever entered into between capital and labor in this or any other country.

It is accomplished in noticeable contrast with the deplorable conflicts and strife now abroad in our country and sapping at its economic life.

This plan completely carried out would place one-half of its burden upon the employees and the other half upon the employers. The burden thus borne will include administrative expense of the Federal Government.

The legislation affects 1,150,000 employees in the service and is based on the pay roll of about \$2,200,000,000.

I will not attempt to make a detailed analysis of the provisions of the bill but will roughly refer to some of its important features.

EMPLOYERS

Employers subject to the act are express companies, sleeping-car companies, rail carriers subject to the Interstate Commerce Act, companies controlled by one or more of the employers in the transportation business or in railway service, and certain railroad and labor organizations having slightly less than 4,000 employees, which are also treated as employers in the bill.

EMPLOYEES

The employee is one in the service, for compensation, of an employer under the act. The relationship is one where the employee is subject to the direction and continued authority of the employer.

An important feature of the bill is a provision making those in "employment relation" subject to benefits under the bill. That term includes, outside of those actually working in the service of the employer, those who are not actually working but who are temporarily absent because of reductions in business or on account of sickness or disability or under furlough. Such persons might be entitled to an annuity at 65 years of age; or after 60 years of age without 30 years of service in case of permanent and total disability, or after 30 years of service.

These provisions will cover the cases of about 8,000 who were disabled on the enactment date, August 29, 1935.

Employees on carrier pension rolls on March 1, 1937, will be transferred and receive annuities after July 1, 1937. The annuity granted to such employees under this act will not exceed \$120 per month. The remainder, if any, annuity in excess of that amount which they are now receiving will be paid by the carrier.

These pensioners are also to have restored any general reduction made in their pensions by the carriers since December 31, 1930.

ANNUITIES

Annuities are based on an employment relation on the enactment date, August 29, 1935; on an age of 65 years or over and on a voluntary surrender of the employment on which the annuity is based; also on a 60-year basis as above indicated.

This bill provides for no compulsory retirement. The existing law reduces annuity benefits by one-fifteenth for each year after the employee remains for service after 65 years of age. That restriction is removed from this bill. It was originally intended for the purpose of inducing men to leave employment after 65 years of age.

Annuities are computed on a basis of monthly compensation and years of employment.

July 1, 1937, is the controlling date for computing prior and subsequent service. Service prior to that date is computed so far as necessary to make up the 30 years required to qualify for an annuity. Full credit is given for all service subsequent to that date in computing an annuity.

The computation for an annuity includes increased compensation after 65 years of age, if any. The employee is not charged with lower compensation after that date in computing his annuity.

The average annuity received under this legislation will be slightly less than one-half of the compensation received by the employee while in the service.

RETIREMENT AGE

The employee acquires retirement rights at 60 years after 30 years of service; or when he becomes totally and permanently disabled, but subject to a deduction of one-fifteenth of the annuity for each year less than 65 years of age.

The average entrance of age of the present railway employee is 26 years. This rather high age of entrance is due to the fact that skill is required in so many branches of railway employment and to the further fact that to a large extent the nature of the work calls for men of mature judgment.

Generally, the railroads do not employ unexperienced persons after 35 years of age or experienced persons after 45 years of age.

NUMBER OF EMPLOYEES

In 1929 class 1 railroads employed 1,600,000; in 1933 the number had decreased to 931,000, or 669,000 less than 4 years before. At the last report for 1937 there were 1,150,000 employees on these railroads. It is now estimated that a return to the business level of 1929 would require the employment of 1,400,000 employees, or 200,000 less than required in 1929. This decreased number would be due to more efficient and labor-saving methods adopted in the last 8 years.

COST OF PLAN

There are uncertainties as to the number who may become beneficiaries under this act; the age and amount to which they will be entitled when they apply. The best estimates available indicate that an appropriation of \$118,250,000 will be required for the fiscal year 1938 and that the maximum appropriation required will be in 1950, \$162,250,000.

For a good many years to come it is estimated the taxes received will largely exceed the necessary expenditures to carry the plan. Funds accumulated in excess of current requirements will develop a contingent reserve which, to a material degree, will lighten the load when disbursements reach their peak, about 1975.

It is estimated that the disbursements for 1938 will be \$58,280,000, or \$60,000,000 less than the receipts.

It is estimated by 1948 the disbursements will be \$107,099,000, or over \$50,000,000 less than receipts for that year.

By 1975 it is estimated the maximum annual expense will be reached amounting to \$231,390,000.

It may be safely assumed that experience developed in the administration of this act will demonstrate the desirability of changes to adjust the plan. The maintenance of a proper balance between receipts and disbursements will of necessity require adjustment from time to time. No doubt at least minor adjustments will be required as to the extent of liabilities or the amount of funds estimated to meet such liabilities. The general plan, however, seems to be on a sound basis. There is no reason to anticipate any such changes will be found necessary as to destroy the substantial features of the plan embodied in this legislation.

It is the belief of the committee that this act, and particularly its substantial features, will be held constitutional should the Supreme Court be called upon for its decision.

Friends of this legislation, in my judgment, need not particularly fear ultimate Court disposal of this problem.

The two great groups entering into agreement resulting in this legislation have agreed not to contest it. Other interested parties may possibly do so. The time may easily come when the Government or friends of the legislation will desire the certainty of a Supreme Court decision to finally define the rights and liabilities under this legislation.

COMMENTS COOPERATION OF MEN AND MANAGEMENT

This legislation is the most notable action taken for age-retirement benefits in private industry in the history of this country. It is expected legislation will, in effect, place the burden of maintaining the system directly upon the men and

management whose agreement led to this legislation. Like all retirement systems however, the burden of its maintenance must ultimately reach the consumer. To the employer a retirement system is part of his labor cost which must in the main, be passed on to the consumer of his products or service. To the employee, his retirement benefit is an additional compensation. To the extent that he may contribute, it is in effect a savings account, or a premium for insurance of age benefits.

Students of retirement systems seem to agree they tend to reduce the current compensation of the employee, but to increase the ultimate reward of his employment. The payments he receives after retirement more than compensate for the decreased pay he receives during his employment.

The employee acquires an assurance against age and disabilities that tends to stabilize him from an economic standpoint and gives him an assurance for aid that should add to his comfort and happiness.

Probably no other class of employees in the country, engaged in private industry, can more readily be adjusted to a retirement system under the general plan of this bill than railway employees. Their employment is well graded and standardized, comparatively constant, with a comparatively limited number of employers who are always subject to public regulation.

The fixing of pay and benefits, as well as the employer pay roll, are comparatively easy of ascertainment as contrasted with most employment in private industry.

OLD-AGE PENSIONS

Most of our present private retirement systems are founded on labor cost and include increased pay or at least a different method of payment for labor performed. In this respect such systems must be contrasted with general old-age pensions based on age and need.

The greatest reason for old-age pensions is the humane reason; the need of protecting worthy people against poverty and misfortune against which they are unable to protect themselves. Generally speaking, the care of such persons cannot be based on assessment against pay rolls. The support of such a system is more equitably placed among the tax liabilities of the Nation, local, State, or Federal. Men and women do not need or deserve age pensions primarily on account of what they may have collected from pay rolls.

The burden of pensions to the aged must rest on the consumers of the country. Taxes of all kinds primarily add to the living cost of the Nation, and the consumers of the country pay the bill.

Consumer contributions and increasing compensation to limited groups increases costs to all consumers and give the benefits to limited groups of beneficiaries. All of the needy pay with our whole population, but only part of the needy are beneficiaries of the plan. This situation, with due regard to justice and equity, leads us to seek a more universal application of age-retirement benefits. In turn, we must seek a more universal and just distribution of the burden of age retirement.

I regard our social-security plan as transitory because it fails in a just distribution of both its burdens and its benefits. It is too limited in its benefited classes from a humane standpoint of need and too limited in applying its burdens. There is a sane and necessary balance that must be maintained between what the Nation would like to do and what it is practicable to do.

It is with hope that this act may be wisely administered with wholesome advantages to the Nation and that it may contribute toward a yet more widespread and equitable system of social security.

We submit this measure to the Members of Congress.

For those who may be interested in comparisons of this proposed law with the existing act I submit a more detailed explanation.

DIFFERENCES BETWEEN THE RAILROAD RETIREMENT ACTS OF 1937 AND 1935

The Railroad Retirement Act of 1937 differs in many points from the Railroad Retirement Act of 1935. Apart from minor changes in phraseology, these differences may be discussed under six headings:

First. The Railroad Retirement Act of 1937 has a broader coverage, both as to employers and employees, than the present act.

(a) All employees of American lines, wherever they may be, are employees under the act. For example, American lines operate extensively in Canada; employees of these American railroads in Canada would be covered by the act.

(b) Railroad labor organizations are now to be included as employers. While it had been thought that the present act embraces railroad traffic associations, bureaus, and similar organizations, the doubt has now been removed by specific inclusion of such organizations in definite terms.

(c) Under the present act employees include, among others, persons who are on furlough or leave of absence, subject to call for service and ready and willing to serve. Many railroad employees, most of them old, comply with all the parts of this definition except that, because of permanent and total physical disability, they are not now, and never will be, ready to serve. The bill would include such persons as employees.

Second. Requirements for the receipt of benefit have been changed.

(a) Under the bill an employee would be required to cease rendering compensated service to any person, whether an employer under the act or not, before he may become eligible to receive an annuity. At the present time an employee who leaves the railroad service may begin to receive his annuity even though he may be employed regularly in another industry. The new provision is fortified by another which specifies that the annuity shall cease if the annuitant renders compensated service to an employer as defined in the act, or to the last person by whom he was employed prior to the date on which the annuity begins to accrue.

(b) An annuity may be paid under the present act to an employee who has completed 30 years of service if he shall have been, after the enactment date, retired by a carrier on account of mental or physical disability. The bill will provide that the annuity is payable only if the employee is permanently and totally disabled for regular employment for hire.

(c) Under the present act an employee may begin to receive an annuity when under the age of 65, even though not disabled, provided he has completed 30 years of service, but the annuity is to be reduced at the rate of one-fifteenth for each year by which he is under 65 at the time of the first annuity payment. This means that annuities of this character may begin as early as 50 years and 1 month, although in such case the annuity would be reduced to almost nothing. Under the bill annuities of this class may not begin prior to age 60, at which time the reduction would be one-third.

(d) Persons who are permanently and totally disabled for regular employment for hire may, under the bill, be eligible for annuities, irrespective of the length of service, but with the provision that such annuity is to be reduced by one-fifteenth for each year by which the employee is under 65 when the annuity begins to accrue.

Third. Benefits have been changed in several respects.

There have been several changes which affect the amount of benefits. The benefit that is paid upon death has been changed both as to deaths for which compensation is paid and as to form, and finally a new benefit has been added.

(a) The first change affecting the amount of benefits is one which removes the limitation on creditability of future service. At the present time no annuity may be based on more than 30 years of service, irrespective of the length

of the service period. This change in the bill will mean that in 1967 and thereafter annuities may be based on more than 30 years of service.

(b) Annuities based on prior service would not be paid under the bill to persons who are not employees on the date of enactment. Such persons will, of course, receive annuities based on all subsequent service. At the present time all persons who become employees may receive annuities based on both prior and future service.

(c) The reductions in annuities which are prescribed, except for officials, for employees over the age of 70, or over the age of 65, unless an agreement to continue in service is filed, have been removed. Under the present act these reductions in annuity have been at the rate of one-fifteenth for each year of continued service after the age of 65.

(d) In the event an employee is granted an annuity because of permanent and total disability and subsequently recovers, the annuity payable on retirement at the age of 65 or thereafter is to be reduced to take account of the payments made because of the disability. This is a new provision.

(e) Provision is made for a minimum annuity of \$40 per month for persons who retire at the age of 65 or over, after 20 years or more of service, and whose average compensation on which the annuity is based is \$60 or more. If such average compensation is less than \$60, the annuity is to be 80 percent thereof, unless such 80 percent is less than \$20, in which case the annuity is to be \$20 or the average monthly compensation, whichever is less. Moreover, the annuity is not to be less than the additional amount which would be payable under title II of the Social Security Act if the employment under the retirement act were employment under title II of the former. No minimum is provided at the present time.

(f) Service after the age of 65 is to be disregarded in calculating annuities; except that if the compensation is such that it would increase the average which would be used to calculate the annuity at age 65, such compensation will be taken into account for the purpose of calculating the average.

(g) The death benefit is changed in two respects: First, instead of being payable only in respect of persons receiving or entitled to receive an annuity, it now becomes payable on the death of any person who has been an employee, and who has received compensation for service after December 31, 1936; second, instead of being one-half of the annuity which the deceased was receiving or entitled to receive, the benefit is to be 4 percent of the compensation, not in excess of \$300 a month, for service on or after January 1, 1937.

(h) The present act instructs the Railroad Retirement Board to make a report as to the feasibility and practicability of substituting the provisions of the act for any existing provisions for the voluntary payment of pensions to employees not subject to the act. This provision has been deleted in the bill, and instead provision is made for the payment to persons now in receipt of voluntary pensions and gratuities of pensions equal to those granted by the employer, but without reduction caused by changes or adjustments of any plan after December 31, 1930.

Fourth. Railroad retirement account.

The present Railroad Retirement Act authorizes the appropriation of only such moneys from time to time as will be necessary to carry the act into effect. This provision has been understood to mean that every year there will be appropriated an amount necessary to pay the benefits currently due. Following the precedent of the Social Security Act, in language substantially the same, and having the same meaning, the new bill would create a reserve account to which there is authorized to be appropriated as annual premiums amounts "sufficient with a reasonable margin for contingencies to provide for the payment of all annuities, pensions, and death benefits, according to the provisions of this act and the Railroad Retirement Act of 1935."

It is not always possible to determine in advance (ordinarily, in fact, more than a year and a half in advance) how many deaths and retirements will take place. Consequently, unless there is a reserve to draw upon, it is possible that at some time embarrassing situations will arise because of unexpected drains on the appropriation. Moreover, it is clear that for a number of years there will be a strong tendency for benefit disbursements to rise. This rise will occur because of the inevitable increase in the number of employees who will attain retirement age and because of the fact that of any considerable number who do attain retirement age, some will survive for periods as long as 30 to 40 years. In view of this inescapable tendency for disbursements to rise, it is entirely reasonable and prudent that reserves be accumulated in anticipation thereof.

The amount of the appropriations to be made will depend on experience as it develops under the act. There will necessarily be involved the ages of retirement and entry into service; the rates of mortality, permanent and total disability, withdrawal from the industry, change in compensation by age and length of service, and so on. Since the appropriation contemplates the accumulation of reserves in anticipation of future payments, the basis of premiums must necessarily be recomputed from time to time in order to make allowance for variations between experience and estimates. Increases and decreases in the volume of employment and general decreases and increases in wage levels, all rising out of variations in general economic conditions, must also be taken into account from time to time as they occur. The provision for contingencies is intended to safeguard against sudden changes in these factors. All these factors, of course, have a bearing not only on the amounts to be appropriated but the amounts to be disbursed for benefits.

Fifth. Free transportation.

Section 1, subsection 7, of the Interstate Commerce Act prohibits the giving of free transportation except to certain enumerated classes of people. Among the excepted classes are employees and their families. The term "employees" is defined as including "furloughed, pensioned, and superannuated employees." It has been clear that the railroads could grant free transportation to employees on their own pension rolls, and those who might be superannuated even though not on such rolls. It is not clear whether there is any change in the status of such employees when they do not receive pensions from their employers, but rather annuities or pensions from the United States Treasury. It is clear that Congress, in passing the present Railroad Retirement Act, did not intend to preclude the giving of free transportation to employees receiving benefits from the United States Treasury rather than under the private pension systems of the carriers. The new bill would make it clear that the carriers may continue to furnish free transportation to employees in receipt of annuities or pensions under the Railroad Retirement Act in the same manner as they furnish free transportation to employees in the service.

Sixth. Administrative changes.

A considerable number of administrative changes would be effected by the bill. Some of the more important of these follow:

(a) The status of American employees of Canadian lines would be clarified.

(b) All service with an employer who was such on the enactment date is to be made creditable, removing the necessity for laborious searching into past records to determine the former status with respect to the Interstate Commerce Act. Until recent years, and particularly before 1908, the Interstate Commerce Commission did not make definite rulings as to the applicability of the act in many instances. At the present time the Retirement Board must attempt to determine whether a company was subject to the Interstate Commerce Act, for example, in 1887 or in 1900, as the case may be. The Board at the present time must also fix the date at which the act did become applicable.

(c) The definition of "compensation" would be clarified by making it clear that the earning of compensation rather than its receipt is what is significant, and by specifically excluding tips and taxes levied against the employees' compensation but paid by the employer, without deduction from the employees' pay.

(d) The Board is to be given discretion in fixing a compensation base for prior service where there was no service, or insufficient service, in the 8-year period 1924-1931, which will normally form the base for the determination of prior service compensation.

(e) No greater amount of prior service will need to be taken into account beyond that necessary to bring the total service up to 30 years. At the present time it is necessary to secure service records as far back as 1887, even though no more than 30 years will be used as the multiplier in computing the annuity.

(f) Returns as to compensation are to be made incontestable after 4 years. The Board is authorized to require that employers shall furnish to their employees statements of their monthly compensation as reported to the Board.

(g) The payment of death benefits is facilitated by providing for the designation of beneficiaries. At the present time all death settlements must be made under the laws of the several States.

(h) The provisions for the election of the joint and survivor annuity form, in lieu of the life annuity, is changed so as to preclude adverse selection and increased cost but without impairing the element of protection.

(i) Recovery of payments may be waived if such recovery would defeat the purposes of the benefits otherwise authorized or would be against equity and good conscience. Authority is given to the Board to adjust erroneous payments in subsequent payments to the same individual.

(j) The Board is to be authorized to delegate to any of its employees the power to make decisions on applications for annuities or death benefits in accordance with rules and regulations prescribed by the Board.

(k) The district courts of the United States and the District Court of the United States for the District of Columbia would have jurisdiction, upon suit by the Board, to compel obedience to such orders, and it would also provide that the orders, returns, and processes of the Supreme Court of the District of Columbia may run and be served anywhere in the United States. At present, though the act provides that the Board shall have the power to require carriers and employees of the United States to furnish information and records needed for the administration of the act, it contains no provision pursuant to which the Board can compel obedience to its orders.

(l) Suits against the Board by a person aggrieved by a decision are barred unless filed within 1 year after the decision has been entered upon the records of the Board and communicated to the claimant.

(m) An actuarial advisory committee is to be created to examine the actuarial reports and valuations made by the Retirement Board.

(n) The exclusion of employments covered by the act from the provisions of title II of the Social Security Act would be clarified.

Mr. MAPES. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker and Members of the House, the Railroad Retirement Act now under consideration deserves the unanimous support of the Membership of the House. It provides a safe and sound system of retirement pensions or annuities for all who are employed, in any capacity, by the railroad systems of the country, and represents another outstanding achievement of the cooperative effort of management and men in the Nation's largest industry, to improve working conditions.

The circumstances under which this legislation is presented to the House are of such a character as to deserve special emphasis. Never during my experience in this House

has legislation of such widespread importance been presented under more favorable conditions. First and foremost is the fact that it represents absolute and complete unanimity of thought and desire between management and men. There is no feature of this bill that presents any controversy or disagreement as between these two parties. Every provision has the support of both without any reservation upon the part of either. It represents a united effort to produce legislation that will be satisfactory and mutually beneficial, and comes before the House with the united support of railroad management and all the standard brotherhoods.

At a time when the Nation is sorely distressed with industrial turmoil, arising from conflicting interests, this action of management and men in the railroad industry comes as an assurance of what can be accomplished when both parties are willing to sit down together in a cooperative spirit that recognizes the respective rights and obligations of the other. And it is particularly gratifying to realize that the results have been attained without leaving that feeling of bitterness which so often accompanies agreements where either one side or the other feels that they have been driven to conclusions with which they are not in full accord. The absence of any such feeling in this instance is a splendid testimonial of the sincerity, fairness, and consideration with which the representatives of management and men approached and solved the many complex problems that demanded settlement in order that a satisfactory plan of retirement might result.

It is also worthy of note that the same spirit of cooperation that has been shown by both of the interested parties to the retirement plan was also shown by the membership of the Committee on Interstate and Foreign Commerce. At no time was there any appearance of partisan division nor divisions of any other character.

There was at all times a manifest desire upon the part of members of both political parties to make this worth-while legislation as perfect as it was humanly possible to do. It was realized that the problems, legal, financial, and economical, were of a character that required the most thoughtful consideration. In all of the discussions within the committee the underlying and controlling thought was to produce a plan that would be secure and prove beneficial to those who through the years would come within its provisions. And it is pleasing to report that this bill comes before the House with the unanimous support of the entire membership of the Committee on Interstate and Foreign Commerce.

This background of cooperative effort, first, upon the part of all those engaged in the railroad industry, management and men, and, secondly, by the membership of the committee, that has labored diligently and thoughtfully to provide worth-while legislation, creates, it seems to me, an obligation upon the part of the membership of this House to support wholeheartedly the result that has been reached.

There is, in my opinion, a very definite duty upon the part of the House to give approval to this type of legislation. No one will doubt that it is mutually beneficial to all parties, the railroad company, the railroad workers, and the traveling public. It provides a sense of security for old age that will create a satisfied state of mind upon the part of the workers. It removes doubt and uncertainty as to the future when the worker, because of advanced age can no longer measure up to the high standards that railroading, today, requires in all of its branches. A satisfied mind, wherein worry and fear are removed, enables the worker to give attention to his duties without disturbing influences that otherwise result, thereby promoting the element of safety for the traveling public, and giving to the company a quality of service that cannot be measured in dollars and cents.

The present bill is the third to be presented to Congress dealing with railroad retirement legislation. The first act was signed by the President on June 27, 1934. It was declared unconstitutional by the Supreme Court on May 6, 1935. Another act to take its place was passed and became law on August 29, 1935. This act is now and has been in

litigation since it became effective. Because of this fact it has been impossible for the Railroad Retirement Board to function effectively. This condition prompted the President to suggest to representatives of railroad labor organizations and railroad management that an effort be made to work out between them a retirement plan which would be mutually satisfactory.

In accordance with the suggestion of the President, a committee was appointed by the Association of American Railroads to confer with a committee appointed by the Railway Labor Executives Association, representing the employees. As a result of the conferences held by these two representative groups a plan of retirement was agreed upon and is embodied in amendments to the existing law. The bill now before the House (H. R. 7519) represents the plan as agreed upon by the carriers and their employees and approved by the Committee on Interstate and Foreign Commerce after careful study and extensive hearings. The enactment of this bill in its present form has been agreed upon by all the interested parties. Furthermore, it has been agreed by each of the parties that they will upon its enactment support and defend its provisions and cease further litigation of the present act to which this pending bill is an amendment. Consequently, the enactment of this bill will bring to a satisfactory conclusion all pending legislation, clear up all doubts and uncertainties, and provide a safe, sound, and highly beneficial plan of retirement for all railroad and affiliated employees.

For many years some of the railroads of the country have voluntarily maintained pension systems for the benefit of those who are retired from active service. In some instances the pension benefits have been highly satisfactory, but, it is also true that in some other instances the system in effect was not entirely satisfactory to the employees. And on some railroads there was no pension or retirement benefits whatsoever for retired employees. This bill will create a national system, uniform throughout the country, and eliminate the ever-present fear that a voluntary plan might, because of economic conditions, be discontinued by the company or the payments greatly reduced at any time. With the enactment of this bill into law, the basis for any such fears in the future will be removed. It makes permanent and sure that which was formerly uncertain or doubtful.

The enactment of this legislation will represent one of the most forward and progressive steps ever taken by any single industry.

I hope that the approval of this bill by the House will also indicate to industry in general the favorable results that can be attained when the spirit of cooperation prevails in the settlement of problems affecting the welfare of those who labor.

It is a privilege to have had a part in the enactment of this legislation that will mean so much to those who through a period of years have rendered faithful, efficient, and conscientious service in the different branches of railroad transportation. [Applause.]

Mr. MAPES. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Speaker, I regret very much that it is necessary to take this bill up under suspension of the rules, because I realize it is not possible to amend it and also that there is not sufficient time to properly discuss it. My purpose in obtaining this time is to clear up what I believe to be a misunderstanding which exists relative to the agreement entered into between the carriers and the representatives of the employees. There has been agreement entered into, but it is being misconstrued that that agreement pertains to all railroad legislation, and that the rest of the railroad legislation now pending before the Congress is to be thrown into the scrap heap and that the retirement act is to be passed, and no more of the brotherhood legislative program. I challenge any Member of the House to contradict my statement that that agreement has nothing to do with any other legislation than the retirement act, which is before us today, and this

retirement act stands on its own feet, because it has merit and because it is generally recognized by the railroad carriers and the employees that men who work on the railroads should be retired when they become 65 years of age. In order to substantiate that argument I call attention to the testimony before the Interstate and Foreign Commerce Committee of the House in respect to it. I quote the testimony of Mr. Harrison, who appeared on behalf of the 21 railroad labor organizations, including the brotherhoods, and who spoke officially for them at that time. He was asked a question by Mr. BOREN:

Does this agreement between the carriers and the employees' representatives in any way affect other legislation that might be introduced as regards railroad labor or railroads?

Mr. HARRISON. I am glad you asked that question. This agreement we made with the railroads stands on its own bottom. It has no relation whatever to any other legislation. There were no promises made by representatives of labor that anything would be forgotten because of this agreement, nor did the railroads make any promises that they would even give up anything because of this agreement. It stands by itself on its own bottom.

Then I quote from the testimony of Mr. Fletcher, general counsel of the railroads of the United States. In his testimony, in referring to the agreement between the railroad carriers and the employees' representatives relative to this legislation, he said:

I rise, therefore, mainly for the purpose of asserting what has been said by Mr. Harrison as to the complete agreement between the parties with reference to this measure and largely to emphasize and reiterate what he said in that respect.

Mr. Speaker, the above-mentioned agreement has nothing to do with other pending railroad legislation, and I realize that the argument is being made in the cloak rooms and elsewhere in this Chamber from mouth to ear, that this agreement between the railroad carriers and the employees' representatives pertains to other legislation than this retirement act, and it does not, and at this time if anyone has that argument in mind, if anyone believes that there are such agreements entered into, now is the time for him to speak up, and not when we are considering other railroad legislation in the committee or on the floor of this House. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield now to the gentleman from Kentucky [Mr. FRED M. VINSON].

Mr. FRED M. VINSON. Mr. Speaker, it is a pleasure to see what can be accomplished when patriotic men sit around the same table and work toward the same objective. It should be pointed out in respect to the history of social legislation, particularly old-age retirement benefits, that the railroad boys have blazed the trail. They are the pioneers in this character of legislation. I think we would be remiss in our duty if we did not pay compliment to the old war horse BOB CROSSER, our colleague from Ohio, who has done such valiant service in this cause. [Applause.]

In my connection with this legislation, it has been a most heartening sight to observe the conduct of George Harrison, and Judge Charles Hay, of St. Louis, on behalf of the Railroad Brotherhood, and Mr. Pelley, and Judge Fletcher, of the Railroad Executives, working out this far-reaching humanitarian problem. It is a splendid job, and we all can look forward to increased pleasure in having participated in it. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield now to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Speaker, in its origin this piece of legislation is probably without precedent in the history of American legislation. As has been already stated, it is the result of an agreement in writing between the railroad systems of the United States and their 1,200,000 employees. This is their bill, written by them. More extraordinary than that, however, is the fact that not only the pensions to be paid under this law but the cost of the administration of the law will be borne by self-imposed assessments upon the railway companies and the railway employees.

All the facts may not appear in this bill, but in my opinion, since the Social Security Act decision by the Supreme

Court, they could be made to appear, and this great forward step in social security in a great industry could now be safely taken in one act instead of two acts.

This measure may not be entirely satisfactory to all the railroad employees of the country. It is not in every respect entirely satisfactory to me. It may require future revision. But to those of the employees who are not satisfied with one feature or another of the bill, I want to remind them that the railroad companies of the country voluntarily agreed with the employees on this measure after the railroad companies had been virtually assured by the Supreme Court that no compulsory pension act for railroad employees could stand the test of the Constitution. This measure had been agreed upon before the rendition of the Social Security Act decision, and when it seemed certain that the contributory old-age pension title and the unemployment insurance title of that act would be held unconstitutional, and when it seemed certain that the fate of the first Railroad Retirement Act awaited the second act.

In order that the foregoing statements may not rest simply on my word, I want to quote three very short paragraphs from the able dissenting opinion of Chief Justice Hughes in the first Railroad Retirement Act case.

The Chief Justice opened his dissenting opinion with these statements:

The gravest aspect of the decision is that it does not rest simply upon a condemnation of particular features of the Railroad Retirement Act but denies to Congress the power to pass any compulsory pension act for railroad employees.

That is a conclusion of such serious and far-reaching importance that it overshadows all other questions raised by the act. Indeed, it makes their discussion superfluous.

Now, while this measure is produced and agreed upon by the railway companies and their employees, it will nonetheless be a compulsory pension law when it gets on the statute books. That is why I say that when it was entered into it was known by the contracting parties that in all human probability it could not be made binding without their consent. Moreover, it indicates on the part of the contracting parties an apprehension that the second Railroad Retirement Act would be held unconstitutional.

Now, with the fact accomplished, I want to repeat a statement made by me before it was accomplished, which appears in the Appendix of the CONGRESSIONAL RECORD at page 437. I quote:

If, as is now reported, the railroad companies are getting together with their million-odd employees to accept and establish the provisions of the Railroad Retirement Act and dismiss the pending cases, doing this in the face of the Court's virtual assurance that it will relieve them from the law, full credit should be given the railway managements for such an enlightened and humane step.

Viewed in the right light, perhaps the history of this legislation has been for the best. It has shown us that one of the major industries of the country and their employees, numbering now about 1,200,000, could get together and settle the question for themselves—a major question, materially affecting the public welfare, in a field embracing all industries and all groups and every man, woman, and child in the country. It should prove an encouragement to other industries and groups falling under the Social Security Act to go forward and make an earnest effort to fulfill the provisions of the law. If our mechanized processes contribute to unemployment and create premature superannuation—and I claim that they do—and we have millions in each class, society owes them a living in decency and comfort. These laws are intended to meet that requirement, and this self-imposed act should help to show the way.

Mr. Speaker, I shall not undertake in my brief time to itemize and explain the provisions of this bill or to make a comparison with the act now pending in the courts. That has been done by the sponsor of the bill, the able gentleman from Ohio [Mr. CROSSLER], who has the unique distinction of sponsoring the railroad pension acts of the Seventy-third and Seventy-fourth Congresses and now the proposed act of the Seventy-fifth Congress.

Having said so much for the bill, I feel at liberty to point out one unsatisfactory feature. It is in its failure to carry a compulsory retirement provision when the employee reaches the retirement age. I think I know as well as any Member here the genesis of railroad pension legislation. As motive power and other equipment have been improved and vastly increased in capacity, the number of operatives required on the railways of the country has become less and less. I can remember when there was no agitation for train-limit legislation. None was needed. No trains were of sufficient length to raise the question. I know of my own knowledge that one engine and train crew are today moving over the railways of the country a tonnage which 40 years ago would have required four and five crews. So it is the same in transportation as in other lines of industry—the machine displaces the man. In railroading this development has all but destroyed hope for advancement. When I was a young man a locomotive fireman could reasonably hope to become an engineer in 3, 4, or 5 years. Now locomotive firemen on the railways of this country are being superannuated without ever reaching promotion. What is true of this particular class is true of others in the railway service, and this was true before the depression.

Pensions for railway employees have had two objectives, pensions for men when they reached the retirement age, and jobs for younger men. To reach the employment objective the Railroad Retirement Act of 1935 carries not an arbitrary compulsory retirement but a penalty for continuing in the service after retirement age is reached of one-fifteenth of the annuity for each year the employee continues in service after being entitled to retire on a pension. I regret that that provision is not in this bill and in view of its authorship perhaps cannot now be put in the bill and certainly cannot be put in the House under the suspension rule. The absence of this provision, in my opinion, will be the most unsatisfactory feature of the law to great numbers of railway employees. I have no doubt if submitted to a referendum compulsory retirement would be approved. As it is, the measure will, of course, provide no new employment.

The very fact that the absence of compulsory retirement will reduce the load thirty-five to forty million dollars a year indicates the failure of the measure to produce new employment. Compulsory retirement in the railway service at the retirement age would be nothing new. Nearly all the railways of the country have their own pension systems, which are noncontributory by the employees. And I know of none without a compulsory retirement age, and I have in mind the principal railroad system in my State, in which every man, from general manager to section hand, is given a retirement notice on his seventieth birthday.

However, a great thing is being accomplished in this bill, and greater even in its origin than in its accomplishment. Should it develop that the feature which I have mentioned calls for consideration at a future time, it will no doubt be given. I offended a constituent recently by writing him that if I agreed with the President on most points, I could not help him or the situation either by throwing rocks at him over something on which I did not agree with him. Judging from his answer my constituent got the point, even if I lost a vote. I feel the same about this measure. To say that I am pleased with it is expressing it mildly. My attitude toward many industrial practices in this country during my lifetime does not rate me as a very friendly critic, but that does not limit me in expressing my approval of such a forward step and very great step.

One more thought. I know labor. I am familiar with its movements, and while, as the result of some experience and long observation, I support all legislative measures tending to protect labor and better its condition, the conviction has abided with me for many years that the self-government of labor in its relationships to industry, so far as practicable, is preferable to a Government paternalism, no matter how kind. The conduct of labor's industrial relationships through organizations of its own choosing gives labor a ca-

capacity for handling its own affairs and a sense of discipline and responsibility which it can never realize in any other way. Government should have laws for the protection of labor and should set up standards, but under this protection and within these standards we will produce a higher and more self-reliant type of citizenship through collective bargaining than if everything is written in the law. This bill embodies a notable achievement in that direction, and it sets an example worthy of emulation in other fields of industry in the United States. [Applause.]

Mr. MAPES. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as has been stated, this bill was worked out by representatives of the 21 brotherhoods, which include practically all of the employees of the railroads, and the representatives of the railroads, and it is recommended for passage by both of them. It is to take the place of the existing Railroad Retirement Act which was passed in 1935. It is agreed between the representatives of the railroads and the brotherhoods that they will not contest the constitutionality of this legislation, that they will not themselves bring any action to contest its constitutionality, and that they will use their influence against having anyone else bring such action. It is further understood that any suit or suits now pending in court to test the constitutionality of the existing railroad retirement law will be withdrawn.

Speaking generally, this legislation proposes to give an annuity to everyone in the employ of the railroads, from the chief executive down to the section hand. The maximum, however, which can be paid to any one person is \$120 per month.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MAPES. I yield.

Mr. TAYLOR of Tennessee. Does this bill make any provision for old employees who have worked for 25 or 30 years, who are not now actually employed by the railroad company?

Mr. MAPES. Yes. If they were in an "employment relation to an employer", as defined in the act, on August 29, 1935.

The House should know that this bill is to be accompanied by a companion bill to be reported by the Ways and Means Committee to raise the money with which to pay the annuities provided for in this bill. This bill on its face provides for the payment of the annuities out of the general fund of the Treasury, but it is anticipated that the Committee on Ways and Means will report, and I understand that that committee is in session at this very moment for the purpose of reporting a bill which will raise the money with which to meet the obligations incurred by the passage of this bill. The Treasury is to be reimbursed from moneys collected from the railroads and the employees themselves.

It is expected that this legislation will involve no additional drain upon the Treasury, but that the tax bill which the Committee on Ways and Means is about to report will raise sufficient funds with which to meet all obligations incurred by this legislation. As has been pointed out, there is no opposition to this bill on the part of the management of the railroads or on the part of the representatives of the 21 brotherhoods. It is a constructive piece of legislation and will provide security in their old age to the railway employees of the country. I congratulate all parties concerned in the successful culmination of years of earnest work and effort in the accomplishment of their objective in the passage of this legislation. At the same time I congratulate my distinguished friend, the gentleman from Ohio [Mr. CROSSER] upon the passage of legislation which has been so dear to his heart. This bill is due very largely to his loyalty to the cause and to his persistence and ability in advancing it at every opportunity.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MAPES. I yield.

Mr. CRAWFORD. Does this bill in any way provide that employees working for a trucking company, where a rail-

road owns a large percentage of the stock, will be covered, or is it restricted to rail employees only?

Mr. MAPES. It covers employees of subsidiary or any other companies which are controlled by the railroads.

Mr. CRAWFORD. Whether overland or by rail?

Mr. MAPES. Whether overland or by rail. In fact, it does not matter what business they may be engaged in so long as that business is "controlled" by a railroad. To give the whole picture I might add that there is a dispute between the representatives of the brotherhoods and the managements of the railroads as to what is meant by the term "controlled." They are agreed upon the language of the bill, but what is to be the interpretation of the term "controlled" is to be the subject of further negotiation and determination. It is a pleasure to support and to speak in behalf of this legislation so dear to the heart of every railroad man or woman.

[Here the gavel fell.]

Mr. CROSSER. Mr. Speaker, I yield ½ minute to the gentleman from Iowa [Mr. EICHER].

Mr. EICHER. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce, I simply want to take this opportunity to assure the membership of the House that this measure was given the most sympathetic and careful consideration, not only by the subcommittee but by our full committee. I am hopeful that the House will follow the example of the committee and adopt it unanimously. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield to the gentleman from Maryland [Mr. COLE] such time as he may desire.

Mr. COLE of Maryland. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce for several terms, during the entire time the subject of this legislation has been before us, I want to call especially to the attention of my colleagues the outstanding service and signal accomplishment of the gentleman from Ohio [Mr. CROSSER], who has consistently sponsored this legislation and successfully steered it through Congress in two previous sessions. One of the real privileges of service in this body is the opportunity of close association and the development of lasting friendships, which committee service more than in any other contact offers to the members. The gentleman from Ohio has been one of the ranking and admittedly one of the most able members of the Interstate and Foreign Commerce Committee and during the trying days of the depression, during the last two terms of Congress, when the committee was under the leadership of the present distinguished floor leader, Mr. RAYBURN, of Texas, Mr. CROSSER, despite his physical handicap, rendered service of immeasurable value as he is now doing under the present leadership of the industrious and popular chairman, the gentleman from California, Mr. LEA. I am sure that the majority leader, should he have an opportunity in the brief period assigned for the debate on this bill to say something, will find an acknowledgment of Mr. CROSSER's service while he was chairman of the committee the uppermost thought in his mind.

The first legislation providing for retirement of railroad employees passed in 1934 in a form which I am frank to say, as I explained in the committee sessions, was of doubtful constitutionality. The Supreme Court later so declared by a closely divided Court and, in 1935, the second bill was passed. I believe that bill, now the subject of litigation before the Supreme Court, is constitutional, but I have some doubt of the constitutionality of the companion measure, which was the tax bill to provide the necessary revenue. With the hope that some of the apparent difficulties in the existing law—and there must be difficulties in legislation of this magnitude calling for frequent changes by Congress—can be eliminated and the further hope that this bill, coming to us as it does with railroad management and employees pretty much in agreement as to its provisions, will eliminate further litigation which complicates the administration of the entire measure, Mr. CROSSER presents

the third measure and, I believe, the final solution of this important problem.

I have never known a man during my fairly long experience in the House who has sponsored with more fairness, intelligence, and industry than Mr. CROSSER has this and other railroad-labor legislation. As is known, more to the committee members than the House in general, I have seen fit to differ at times with his views on some of the legislation bearing his name, but those differences and discussions which have taken place between us have always ended in a greater enlightenment of the legislation and a more satisfied feeling as to its intent. It must be a happy period in the long and capable career which Mr. CROSSER has enjoyed to find at this time the realization of one of the main ambitions of his legislative career, and this with practically the unanimous support of his colleagues.

Mr. Speaker, there is not time to discuss the provisions of this bill but I commend to those interested the report of the committee and the remarks of Mr. CROSSER. My sole purpose in arising at this time is to give expression to the genuine feeling of regard and esteem I possess for the distinguished author of this bill and one of my colleagues on this great committee.

Mr. MAPES. Mr. Speaker, I yield such time as he may desire to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker and ladies and gentlemen of the House, we have before us H. R. 7519, known as the railroad workers' retirement bill. I am not a member of the Interstate and Foreign Commerce Committee that had under consideration and favorably reported this bill, but it has been stated that the committee was unanimous in its report, and we have also been told that this bill was unanimously agreed upon and its passage urged by the representatives of the 21 standard railroad labor organizations and approved by the representatives of the railroads.

I wish to commend the action of the railroad brotherhoods and railroad managements in presenting this bill to Congress, and I wish to express my appreciation for the unanimous action of this fine committee in approving the action of the railroad workers and management. And may I urge that the House of Representatives show the same fine spirit of cooperation and unanimity in passing this bill without a dissenting vote.

I have been identified with legislation affecting the railroads and railroad workers since 1919 and have had an opportunity to make a study of and compare American railroads and railroad workers with the railroads and workers of other countries. It can be said without fear of successful contradiction that American railroads are the finest and best in all the world and that the railroad workers of this country are the best trained, the most loyal, and most dependable, and can render the highest type and best service of any railroad workers on earth. A single American railroad worker can and does perform as much service as two or even five railroad workers in other countries of the world. American railroad workers receive the highest wages, have the shortest hours, and the best working conditions of any railroad workers.

And, by the way, passenger and freight rates are lower in this country than in any other country. Most of the railroads of other countries are owned and operated by the government. These comparisons, it would seem to me, should prove that in order to give good service and enjoy reasonable rates and pay good wages to the workers it is not necessary for the railroads to be owned and operated by the Government.

INTELLIGENT, DEPENDABLE, AND LOYAL

As a class the railroad workers of our country are intelligent, dependable, and loyal. They constitute a high type of patriotic American citizenship. They strive to own their own homes, they have business interests of their own, they show deep interest in schools and every other measure for the benefit and uplift of their respective communities. All in all, they constitute a great body of God-fearing, honest,

law-abiding, patriotic citizens. They have always shown wisdom in the selection of their representatives. The men who head these great brotherhoods have the training, experience, and good judgment to fill with distinction key positions in industry and to occupy high places in the service of the Government. Many of them would make capable members of the President's Cabinet. Some years ago I had the honor to urge the appointment of one of the representatives of one of the great railroad brotherhoods, the Honorable William Doak, as a member of the President's Cabinet. He was appointed and served with great distinction in that high office. There are many others just as capable.

The railroad brotherhoods select as their leaders men of outstanding wisdom, experience, fairness, and high character. The railroad management of this country has in recent years shown a fine spirit of cooperation in dealing with their workers, and in this period of great strife it is most heartening indeed to see the representatives of 1,150,000 workers and the management of the American railroads sit down around a table together and work out a measure that each side considers fair to both. Neither side feels that it has overreached the other.

This bill amends the Railroad Retirement Act of 1935, and while this measure may not be perfect, the representatives of the workers urged and had adopted in this amendment many features that will be, as I understand it, of great benefit to the workers, and it is a great improvement over the act of 1935. If in the operation of this amended retirement act it should be found that amendments are necessary, I have no doubt but what Congress will by appropriate legislation adopt them.

Through all the years the representatives of railroad workers have been not only reasonable and fair with the railroads, but they have also been reasonable and fair with Congress, and it is because of this attitude that measures backed by the representatives of the workers of the railroads have always found favor with Congress. The management and workers in industry might study the record of the railroad workers and the railroads with profit.

It has been hinted that the agreement as to this bill precludes action on other railroad measures urged by the representatives of the workers. I have not so understood it. The agreement, so far as I understand it, applies solely and only to this particular bill before us. I know so far as I am concerned that after speaking and voting for this bill, I shall feel free to support other measures that may appear to be just and necessary.

I cannot refrain from again commending the railroad management, the railroad workers, and the members of the Interstate and Foreign Commerce Committee for their fine contribution in bringing to us this splendid measure that we hope will greatly benefit the railroad workers and at the same time be fair and just to the railroads of this country. [Applause.]

Mr. MAPES. Mr. Speaker, I may announce that the Committee on Ways and Means has already reported the tax bill to which I referred.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. WHITE].

Mr. WHITE of Ohio. Mr. Speaker, I wish to congratulate the committee and all those responsible for this bill—the Railroad Retirement Act of 1937. Regardless of minor changes or additional features that we might like to see included, I think we will all agree that this is a most constructive piece of legislation and that it should be passed with our hearty and enthusiastic endorsement.

National recognition and national commendation is deserved by railroad employees and employers for the example of peaceful mediation they gave the country when they got together and agreed upon the features of this legislation. That action provides an illuminating contrast with the methods of strike warfare we see on all sides today. The contrast should add laurels of respect and confidence for railroad labor and management.

One of the many things about this bill that pleases me a great deal is the action for correction of the disability feature. It covers a number of points. Here is one of them: Under the old law, employees who met the age requirements, who had necessary years of service, who were on the seniority rolls, but unable to report for active service by reason of disability, were excluded from the benefits of the law.

I understand it was not originally intended that way, but that is the way it worked out. When a man reaches the prescribed age, has the required service, and is still on the seniority roster, I do not think it is fair to exclude him on account of his disability. As a matter of fact, a disability under these conditions is all the more reason why he should receive these benefits. Now, in passing this bill we include those cases and extend a fair deal to hundreds of railroad men who were denied it under the old law.

For my part, the privilege of helping make this measure a law is the source of no small amount of satisfaction—the kind of satisfaction that comes from connection with service that is constructive and worth while. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. BOREN] such time as he may desire.

Mr. BOREN. Mr. Speaker, I simply wish to say that this bill is a good example of the splendid cooperation that can be reached by labor and management in all American industries, and I hope it will become a guidepost for labor and management in all industries of the United States. It is evident that the first rule of a happy productive life in the American economic structure is wholehearted cooperation of the various factors of production toward the end of common good.

One of the greatest privileges that has come to me as a member of this body and as a member of the great Committee on Interstate and Foreign Commerce has been to participate as an aid in this legislation which is the product of the great leadership of our colleague Mr. CROSSER. This bill is a splendid tribute to the thoughtful and considerate and careful analytical study that has made Mr. CROSSER an authority on the solution of the problems of the railroad industry. You and I know Mr. CROSSER to be fearless, firm, and forceful in the advocacy of his convictions, and this bill is born of the tireless energy which has been his in arriving at the proper conclusions as to the solution of these problems.

This bill becomes a constructive example for all future legislation of a similar character.

Step by step the investigations Mr. CROSSER has made have brought the truths upon which agreement could be reached. Differences of opinion that at the outset might have existed between labor and management have been reconciled upon the patriotic recognition of justice.

Always persevering, undaunted, tenacious, BOB CROSSER has labored toward the goal that is reached today. In this evidence of agreement between labor and management the railroad industry has given sight to the social blindness that has sometimes existed in our industrial and economic organization.

From the standpoint of the broad problem of industrial cooperation in all enterprises throughout the Nation, this bill is only a step toward victory in the solution of that problem, but it is a force which will be in the years to come continuously conquering the resisting powers. In bringing this legislation to this House today, BOB CROSSER has turned a searchlight on the darkness of confusion that exists in a part of industrial America and has demonstrated to the world that where reason sits at the conference table, patriotism will make sufficient sacrifice and concession to reach the goal of common good.

I feel a deep personal pride in being a participant in the production of this legislation, and the Seventy-fifth Congress will have reason to be lastingly proud of the contribution that we are here today making to the general welfare of this Nation.

Finally, further about the author of this bill, I only want to say that time will long remember though men may soon forget his great achievement in this today. And though the God-kept score of years does not reveal to us the memories that history will hold for this achievement, it still remains that the centuries will show that this great monumental work will live after him to the lasting benefit of mankind.

Mr. CROSSER. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Speaker, I am in favor of suspending rules in order that we might pass the bill which has been reported by the Member from Ohio [Mr. CROSSER].

This bill is a move in the right direction. While by no means a perfect bill itself, it is designed to meet certain difficulties which have developed since the enactment of the act approved August 29, 1935.

The purpose of this measure is to make possible and permanent a retirement system for the employees of our railroad-transportation lines. It is in keeping with the philosophy of the present administration for it extends the frontiers of social progress and makes it possible for our veteran railroad workers to enjoy a fair measure of economic security in the closing years of their lives.

This bill is the third of its kind that has come before the House in the last several years. The first act was invalidated by the courts; the second has not run the entire gauntlet of our judicial system but it has been acted upon by our district courts; this, the third measure, we hope will meet all the objections raised against the two previous measures. We have every reason to believe that the issue will now be definitely settled with the passage of this measure and that the principle of retirement will be as permanent as the railroads themselves.

This measure contains the objectives of both of its predecessors. It protects the personnel of the Retirement Board and both the claimants and the annuitants recognized under the law of 1935 are given protection and consideration under the terms of this proposal. This bill adds rail-service associations to the list of employers and organizations, and their representatives, to those who are entitled to retirement. In some respects it broadens existing law, while in some of its provisions it is more restrictive. Taken all in all, it represents a fine accomplishment, a splendid achievement, a forward step along the road of social progress and economic security.

I desire to compliment the sponsor of the measure, the gentleman from Ohio, my colleague [Mr. CROSSER], who has sponsored numerous measures improving the conditions of our railroad workers. His service has been commendable.

Our Committee on Interstate and Foreign Commerce, the President and his advisers, the representatives of the railroad organizations, and the representatives of the railroad management, are to be congratulated for the great part they all played in bringing before us this splendid legislation. The bill is the result of many happy and successful conferences. It is indicative of what can be done when there is real democracy in industry. It is an example which I trust will be emulated throughout the industrial life of our Nation, for it presents a real solution of our difficulties.

With democracy in government and in industry we will enjoy a greater measure of peace, both within and without the confines of our Republic.

The bill provides for the payment of annuities out of the Treasury of the United States to employees upon their retirement from the service of our railroad transportation lines on account of age, service, or disability.

Among the changes from existing law included in this proposal can be listed the following:

This measure extends the provisions of the existing law and includes in the category of employers, in addition to carriers and companies directly or indirectly controlled by them, groups which are not clearly or specifically included

in the law of 1935. These groups include railroad associations, traffic associations, traffic bureaus, demurrage bureaus, weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as defined in the bill and engaged in the performance of services in connection with or incidental to railroad transportation, as well as railway labor organizations which are national in scope, organized in accordance with the provisions of the Railway Labor Act, and their State and National legislative committees, general committees, insurance departments, local lodges, and divisions.

Another change from present law is that in the bill the language has been amended to include a company or companies owned or controlled in common by several companies.

Casual service and the casual operation of equipment or facilities is excluded by this bill.

Employees coming under the provisions of this bill are those in the service of persons defined as "employers", or in an employment relation to such employers, as well as officers or official representatives of employee organizations, other than labor organizations, included in the term "employer", in the service of such employer, and duly authorized and designated to represent employees, in accordance with the Railway Labor Act.

The term "employment relation" refers to those persons absent on account of sickness or disability. A slight change from existing law is made here in that only persons on furlough will be required to be "ready and willing" to return to service in order to be in an employment relation. Those on leave of absence or absent because of sickness or disability are to be considered, under this bill, to have an employment relation.

The following persons will be eligible for annuities under this bill:

First. Persons who are 65 years old or over.

Second. Persons who were 60 or over on August 29, 1935, with 30 years of service but with a reduction of one one-hundred-and-eightieth of the annuity for each month the person may be under age 65.

Third. Persons 60 years of age, totally and permanently disabled for regular employment for hire, irrespective of the number of years of service, but with a reduction of one one-hundred-and-eightieth for each month under age 65.

Fourth. Persons with 30 years of service who are totally and permanently disabled for regular employment for hire.

The above shows three differences from existing law: First, a disability annuity at the age of 60 is granted to persons having less than 30 years of service; second, the age is changed from 50 to 60 for retirement, with reduced annuity of those with 30 years of service; and third, in granting a disability annuity the requirement that a person be retired by the carrier on account of physical or mental disability is changed so as to require that he be totally and permanently disabled for regular employment for hire according to the decision of the Retirement Board and not of the carrier.

I trust the bill will pass without delay and that it will be improved as time and experience indicates the need for such changes.

Mr. CROSSER. Mr. Speaker, I yield one-half minute to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Speaker, I want to go on record in support of this legislation and pay a tribute to my colleague, ROBERT CROSSER. I think the House is cognizant of his work and his labor in behalf of the railroad men of the country. Living, as he has, under severe handicap of ill health, it is a tribute to him. In the full vigor of health it is easy for some of us to go forward, but I have watched my colleague, day in and day out, for months, for years, devoting every ounce of his strength trying to pass legislation of this kind. It is a tribute to him, it is a tribute to the great railroad brotherhoods to have him as their spokesman in this House of Representatives, it is a tribute to the great railroad industry

to know that he plays the game on the level and plays fair with both sides.

This railroad retirement bill under consideration represents a substitute for the Retirement Act of 1935. It may be termed a compromise measure agreed upon by the representatives of the railroad brotherhoods and the railroad industry of the country.

In these days of industrial discord and bloody strikes the Nation may well look to a precedent established by these groups representing employer and employee of a great industry, demonstrating that it is possible to perfect a meeting of the minds and reach a common agreement satisfactory to both sides through the orderly process of mediation. Not only in the matter of perfecting this Railroad Retirement Act, but in matters of industrial disputes have the railroads and the great brotherhoods averted strikes and inconvenience to the traveling public and the shippers, but they have by their example given a fine demonstration of leadership in the field of organized labor.

With all respect to the leaders of the railroad brotherhoods who have worked untiringly for this and similar legislation, in my opinion there emerges one individual who has all the qualities of leadership so necessary today in this age of collective bargaining. I refer to George Harrison, president of the railroad clerks, whose trained mind and thorough knowledge of the problems that beset organized labor and whose fairness on every occasion has stamped him as a courageous leader with a splendid future before him.

Mr. Speaker, there are thousands and thousands of railroad employees who will rejoice in knowing this measure has passed the House of Representatives. No longer need they fear retirement or lay-offs at the age of 65 without security. It will give opportunity to many more for work in the railroad industry, and with the information before the House today that a tacit agreement has been made between both parties to this controversy that no attempt will be made to test the constitutionality of this act, bringing to the workers good cheer and the incentive to continue loyal in the service where many of them have spent the greater portion of their lives.

I am happy to have this privilege today to express my views on this legislation as a friend of labor for many years, and one who in the past was identified with organized labor in seeking to bring about a shorter working day and better working conditions for those who toil. The tremendous sentiment expressed in the House of Representatives in favor of this sort of legislation, the well-deserved compliments and tributes paid to the gentleman from Ohio [Mr. CROSSER], is an indication that the rank and file of our citizenry are deeply in sympathy with the problem of old-age security, a living wage, and better working conditions for those who struggle in the field of industry, irrespective of its nature.

Mr. LEA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MAPES. Mr. Speaker, I understand there is to be only one other speech on the part of those having the bill in charge.

Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I was a Member of the House and voted for the first retirement bill. I was a member of the Ways and Means Committee that prepared the second retirement bill. I had much to do with its preparation and consideration before the committee, but the distinguished gentleman from Ohio [Mr. CROSSER] is the father of all this class of legislation. Without him these bills may never have been considered. Too much credit cannot be given him. I have voted for each retirement bill that has passed this House. I expect to support this measure because I think it is the best of all of them, and because I believe that

the bill is so drawn as to successfully withstand any attack on the ground of constitutionality. [Applause.]

The second retirement bill was drawn with two special and distinct parts or sections. One was the provision providing for the amount the railroads and the employees were to pay to be used as a fund out of which the pensions might be paid. The other provision was one that provided who was to be entitled to receive this pension and how much each man was to receive and how long the service must be, and so forth. The Supreme Court had found the first bill to be unconstitutional, and it looked as if the second would also be held to be unconstitutional. It was thought advisable to divide these bills and permit the bill providing the amount the railroads should pay and the amount the employees should pay and the manner of payment and all incidents thereto to be considered by the Ways and Means Committee, which of right should consider it. And it was also thought advisable that another bill should be introduced providing who should be entitled to draw this pension and how much each class should draw, and also to provide what age men should be required or be eligible to draw the pension. Also whether men who had been on furlough, and so forth, should be entitled to a pension. This bill was referred to the Committee on Interstate and Foreign Commerce. That is the bill under consideration by us today. This bill should pass and it will pass today. The other bill has been reported out by the Ways and Means Committee and will, no doubt, come up in a day or two for consideration and will pass. These two bills will make the whole retirement plan complete. One bill is of no benefit without the other. The bill we will pass today is a bill that deals with a great many details. The bill that we will pass in a few days will be a financial bill, and while it is all important in that it supplies all of the money with which to operate both of the bills, it will not deal with so many details.

I am taking the liberty of making a rather extended explanation of the bill, and in doing so am quoting extensively from the report of the Committee on Interstate and Foreign Commerce. The bill is divided into two parts. Part 1 amends the Railroad Retirement Act of 1935. Part 2 sets forth in detail the status of the Retirement Board and its rights and powers, and also the rights and powers of the claimants who have heretofore paid in certain payments, and so forth. Under the terms of the pending bill disabled persons who had lost their right to return to the service and were unable to qualify under the present law may qualify under the law that we are about to pass.

The bill includes as "employees" all who may be in the service of any person defined as an employer or who may be in the employment relation to any such person. The term "employee" also includes any officer or official representative of an organization of employees, other than a labor organization, included in the term "employer", as defined in section 1 (a), who shall have been in the service of such employer and who shall have been duly authorized and designated to represent employees, in accordance with the Railway Labor Act, as amended.

Under the pending bill only persons on furlough will be required to be "ready and willing" in order to be in "employment relation." Persons "on leave of absence or absent on account of sickness or disability", by the terms of the bill, will be considered to be in "employment relation", without regard to their ability to return to service when called.

Under the bill (sec. 2 (a)) the following persons, upon complying with the conditions hereafter stated will be eligible for annuities:

First. Persons 65 years of age or over.

Second. Persons who on the enactment date (Aug. 29, 1935) were 60 or more years of age, with 30 years of service, but with a reduction of one one-hundred-and-eightieth of the annuity for each month the person may be under age 65.

Third. Persons 60 years of age, who shall have been totally and permanently disabled for regular employment for hire,

regardless of the number of years of service, but with a reduction of one one-hundred-and-eightieth for each month the person may be under age 65.

Fourth. Persons, regardless of age, who shall have had 30 years of service and who shall have been totally and permanently disabled for regular employment for hire.

The bill differs, therefore, from the existing law in three particulars:

First. It grants a disability annuity at age 60 to one with less than 30 years of service.

Second. It changes from 50 to 60, the age at which one with 30 years service may retire with a reduced annuity.

Third. With respect to a disability annuity, the requirement that a person be "retired by the carrier on account of physical or mental disability" is changed so as to require that he be "totally and permanently disabled for regular employment for hire" according to the decision of the Retirement Board and not of the carrier.

The existing law (sec. 215 (H) and sec. 217), requires a person, in order to be entitled to an annuity, to cease the service of a "carrier."

The bill (sec. 2) requires a person to cease rendering "compensated service to any person", whether or not an "employer" as defined in the act. In other words, he must cease to be employed for hire by any person and relinquish his right to return to carrier or other "employer" service or to the service of the person by whom he may have been employed when he shall have become eligible for his annuity. A person is not required by the bill to relinquish his right to engage in other employment—that is, in the employment of persons other than "employers" as defined in the act, or of other than the last person by whom he shall have been employed before receiving his annuity.

Neither the present act nor the bill makes retirement compulsory.

The present act (sec. 216) requires a person to retire at 65 or suffer a loss of one-fifteenth of his annuity for each year he may continue in service after that age unless he shall file with the Board a written agreement with the carrier each year for his continuance in service beyond age 65 but not beyond age 70. It further provides that regardless of any written agreement he shall suffer a reduction of one-fifteenth of his annuity for each year he continues after 70. The bill does not contain such provision but does provide that the service of a person 65 or more years of age may continue in service after July 1, 1937, shall not be considered in calculating his years of service (sec. 3 (b) (4)). It further provides that his compensation received after July 1, 1937, shall be disregarded in calculating his annuity if to include it would diminish his annuity.

The method of computing an annuity is the same in the bill as in the present act—that is, by multiplying the "years of service" by an amount equaling the total resulting from adding 2 percent of the first \$50 of the average monthly compensation, 1½ percent of the next \$100, and 1 percent of the next \$150. For example, if a person's average monthly compensation should be \$250, and his "years of service" 30, we should then add 2 percent of the first \$50, or \$1; 1½ percent of the next \$100, or \$1.50; and 1 percent of the next \$100, or \$1, and this would make a total of \$3.50. If we then multiply this amount—\$3.50—by 30, the result would be the amount of the annuity—that is, \$105.

For service which may have been rendered after December 31, 1936, or what is called in the bill "subsequent service", the average monthly compensation shall be determined by taking the actual pay-roll average for such service rendered after December 31, 1936. For prior service—that is, for service rendered prior to January 1, 1937—the average monthly compensation shall be the average monthly compensation earned by the employee in calendar months in his years of service in the years 1924–31.

According to the terms of the pending bill, service which may have been rendered prior to January 1, 1937, will be included only in the cases of persons who may have been

employees on the enactment date, August 29, 1935. It is not necessary under the pending bill that persons should have been actually engaged in compensated service on the enactment date. Prior service is allowed those on furlough or leave of absence or absent on account of sickness on such date, even though they may not have resumed compensated service since the enactment date. The bill includes in the years of service all service subsequent to December 31, 1936. If prior service should be included in order to make up the service period, the number of years so included is limited by the bill so as to prevent the total service period from exceeding 30 years.

The pending bill (sec. 3 (e)) makes the following provision:

Persons who may be employed when they shall have attained the age of 65 years and shall have completed 20 years' service shall be entitled to a minimum annuity of \$40 per month: *Provided, however*, That if the monthly compensation on which his annuity may be based should be less than \$50, the annuity shall be 80 percent of such monthly compensation, unless such 80 percent should be less than \$20, in which case the annuity shall be either \$20 or if such monthly compensation should be less than \$20 then the annuity shall be equal to such monthly compensation. The bill also provides that the value of the annuity shall not be less than the value of the old-age benefit he would receive under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term "employment" as defined in the Social Security Act.

The pending bill provides that upon the death of any employee at any time there shall be paid his widow, or, if there be no widow, to the person or persons designated by the employee, a sum equal to 4 percent of the total compensation, not exceeding \$300 in any one month, paid to the employee on and after January 1, 1937, less any amount which may have been paid as an annuity to the employee or his spouse.

Persons on the carrier pension rolls who, on July 1, 1937, were eligible for annuities based in whole or in part on service rendered prior to January 1, 1937, shall from and after July 1, 1937, be paid an annuity under the Retirement Act and shall not be carried as pensioners transferred from the carrier pension rolls. In order, however, to avoid delay and confusion in qualifying such persons under the Retirement Act, provision is made to continue them as pensioners transferred from the carrier pension rolls until October 1, 1937, or to the date, prior to that time, on which they shall have qualified under the Retirement Act.

It is my confident hope that this bill will be found to be such a success as that in the future it will continue to meet the support of the men and of the railroad companies. This will be a great example of how successfully the employer and the employee can get along when they have an understanding and when each works for the benefit of the other. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield to the gentleman from Texas [Mr. RAYBURN] such time as he may desire.

Mr. RAYBURN. Mr. Speaker, I have asked for this minute to say two things: First, I congratulate industry and labor on this happy conclusion of a long controversy. Second, I would be untrue to my feelings if, when a bill from the Committee on Interstate and Foreign Commerce was being considered, I did not take the floor for a moment and reexpress my loyalty and my love for this great committee and its members. Furthermore, Mr. Speaker, I want to pay a tribute to a man who, in my opinion, is as good a man as there is in Congress or as has ever served in Congress, the man who has led this fight through all these years. I pay tribute to the fine statesman, the splendid gentleman from Ohio, ROBERT CROSSER. [Applause.]

Mr. MAPES. Mr. Speaker, I yield the balance of my time to the gentleman from Massachusetts [Mr. TREADWAY.]

Mr. TREADWAY. Mr. Speaker, I am very glad, as a member of the minority, to compliment the remarks that the majority leader has just made in reference to the service of the gentleman from Ohio [Mr. CROSSER.] I served with the gentleman for a good many years, and certainly nothing can be said that he does not fully deserve in the way of compliment for the work he has done in connection with this legislation.

It has been my privilege to be a member of the Ways and Means Committee during the time the companion bill to this measure has been under consideration. And now that the House is about to pass this bill recommended by the Committee on Interstate and Foreign Commerce, I am glad to say that the Ways and Means Committee today unanimously voted the tax measure which is supposed to accompany the bill we now have before us.

I know of nothing that will redound more to the credit of both committees than the passage of these two bills, which benefit so many deserving men who have stood behind the railroads in this country for a long period of years. I therefore join with other Members of the House in congratulating the Committee on Interstate and Foreign Commerce for bringing this matter to a head.

Further, I think it is fair to say that the railroad interests, the employee interests, and the administration interests are united on this measure that we are about to pass. This was brought out in the testimony before the Ways and Means Committee this morning.

Mr. Speaker, I am glad to join with the others in the hope that these two bills will soon become law. [Applause.]

Mr. CROSSER. Mr. Speaker, for the third time in 3 years, I have the privilege of presenting for the approval of the House, legislation providing for the retirement of railway workers on account of age. When, years ago I began the effort to have enacted a law providing a pension for aged railway workers there was enthusiasm in Congress for such a measure, though few were willing to believe that such a law could be passed in less than a decade.

In the year 1934, however, we succeeded in passing a measure providing substantially the benefits which are now provided by the bill before the House. That law was however declared unconstitutional by a 5-to-4 decision of the Supreme Court.

We then immediately started work for the passage of another measure in 1935, we were again successful in passing the present retirement law. I firmly believe that the 1935 law would have been upheld by the Supreme Court.

The desire was expressed, however, by railroad workers, railroad officials, and Government officials that the long conflict might be settled in a friendly way and an effort for such a settlement was begun early in January of this year.

A committee representing the Railway Labor Executives' Association worked with a committee representing the railroad officials, and by the exercise of great patience were remarkably successful in overcoming many of the antagonisms which had heretofore existed between them. These representatives then informed the Congress of the modification of their previous contentions.

The Committee on Interstate and Foreign Commerce have endeavored to report a bill which will remove, as completely as possible, the causes of dissatisfaction on the part of both railroad workers and railroad officials. We have tried to remove the grounds which caused antagonism to the previous railroad-retirement laws. We present for the approval of the House a measure which will assure railroad workers of comfort when the evening of life overtakes them. No longer need railroad men approach old age with the dread of poverty or in fear of want, but may continue through the closing years of life with the assurance that there will be no danger of starvation and that they will never be compelled to be in real want.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. CROSSER. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. The gentleman will recall my interest in this bill, especially in one feature. Under the existing situation if a man retires at the age of 60 or 65, he would be prevented from engaging in any occupation. If he is a lawyer, he could not practice law, or he could not run a little gasoline station or engage in any other business.

Mr. CROSSER. I understand what the gentleman means.

Mr. O'CONNOR of New York. I understand this bill has corrected this feature?

Mr. CROSSER. The bill has corrected that in this way: It requires, as it always did require, a man, if he is in the railroad service, to quit his job. In other words, he may not receive a pension and at the same time continue at his work on the railroad. Or, if when he becomes eligible for a pension and should be working for someone else in another line of work, he must discontinue that work. But then he may go to work for whomever he pleases other than a railroad or for the particular employer last mentioned. I think that answers the gentleman's question.

Mr. Speaker, I have probably had more to do with railroad-retirement legislation than any other Member of Congress. While I derive much satisfaction from the feeling that I have done something to assure railroad workers comfort and freedom from worry during the evening of life, yet my chief desire for them is to see such an adjustment to sound economic principles as will assure men equal rights and opportunity and which will make certain that they will receive as compensation the full value of their toil. Then men will be truly independent and will be free from worry. We must abolish unemployment, and by so doing we shall make it unnecessary for anyone to accept as compensation for his work anything less than what is fair and just. When unemployment no longer harasses men I can vision the time when harmony will prevail among the people and men will march arm in arm along the highway of life with songs of joy pealing from their hearts in the glorious cause of brotherhood. Then men will be freemen and the grandeur of creation will be manifest throughout the land.

Mr. DOWELL. Will the gentleman yield?

Mr. CROSSER. I yield to the gentleman from Iowa.

Mr. DOWELL. The gentleman himself introduced all three of these bills?

Mr. CROSSER. That is so.

Mr. DOWELL. And he has followed them up until their final passage?

Mr. CROSSER. Yes.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. CROSSER. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that practically every Member of the House appreciates the good work he and the committee has done on this important legislation. The gentleman mentioned a while ago something about another similar retirement act having been declared unconstitutional. The gentleman and his committee, I assume, are now convinced that this bill is constitutional?

Mr. CROSSER. I think the retirement law of 1935 now on the statute books is constitutional. I do not wish to have any misunderstanding about that. The bill now pending before us is based upon the same principle as the act of 1935 but removes some of the grounds of controversy between the railroad companies and the men. It does not add anything to the constitutionality of the legislation. I think the legislation now on the statute books is constitutional. We have tried to be fair and to bring in legislation which will be supported by both the workers and the companies.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CROSSER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I know the marvelous work the gentleman has done for the railroad men throughout this country. I know he feels, just as other Members feel, that the railroad men of this country deserve a great deal of credit for carrying safely day after day the great number of human beings who travel on their trains. Their responsibility is heavy, and their record for safety and efficiency excels the performance of those in any other means of transportation. Almost unbelievable safety records have been made by our railroad men. In 1935 not a passenger was killed by collision or derailment; one passenger was killed as the result of the explosion of a heater, while 24

were killed while about to become passengers, in getting on or off of cars. For the year 1936 seven passengers were killed in train accidents and 10 died in getting on or off of trains. What a blessing it would be if our citizens, and particularly automobilists, had the same regard for their lives and the lives of others as do the railroad men.

Mr. CROSSER. I thank the gentlewoman.

Mr. Speaker, there is little more that I can say in the few moments remaining at my disposal on this subject.

The whole purpose of this legislation is to give practical expression to the great principle of human brotherhood—that is fundamental democracy.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. JENKINS of Ohio. In view of the fact the gentleman is the outstanding authority on railroad-retirement legislation, I hope he will extend his remarks copiously in the RECORD so that we may look to his speech as being the authority on the facts and figures of this great legislation.

Mr. CROSSER. I shall endeavor to do so.

I am not under any misapprehension. I think this legislation will, of course, have to be amended in the future in the light of experience, as is the case with all legislation.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. CROSSER. Yes; briefly.

Mr. SHORT. I merely want to say as a friend of railroad men that I think that all the Members of the House feel deeply indebted to the gentleman from Ohio for his pertinacity and skill and for his untiring efforts and unfailing interest in behalf of this worthy cause.

Mr. CROSSER. I thank the gentleman very much.

Mr. SHEPPARD. May I ask the gentleman if my interpretation is correct with respect to section 2, from line 17 down?

Mr. CROSSER. I cannot stop to answer long questions. I will answer the question in the RECORD, if the gentleman will put the question in the RECORD.

Mr. SHEPPARD. I merely wanted to know if a man who had been employed 29 years and 4 months would enjoy the annuity?

Mr. CROSSER. It would require a long statement to answer that question, and I cannot take the time to do so now.

Mr. Speaker, to those who have been so complimentary and kind in their references to me, let me say, that if I have helped to make this world a better place in which to live, if I have done something to promote the cause of universal brotherhood, I am gratified, for I believe with Edwin Markham, who said:

There is a destiny that makes us brothers,
None goes his way alone;
All that we send into the life of others,
Comes back into our own.

I have tried and I hope I have succeeded in sending into the lives of others nothing that I would not welcome back into my own. [Applause.]

[Here the gavel fell.]

The SPEAKER. The question is on the suspension of the rules and the passage of the bill as amended.

The question was taken; and on a division (demanded by Mr. CROSSER) there were—ayes 340, noes 0.

Mr. CROSSER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were yeas 363, nays 1, not voting 68, as follows:

[Roll No. 94]

YEAS—363

Aleshire	Andrews	Beiter	Boland, Pa.
Allen, Del.	Arends	Bell	Boren
Allen, Ill.	Arnold	Biermann	Boyer
Allen, La.	Ashbrook	Binderup	Boykin
Allen, Pa.	Atkinson	Bland	Boylan, N. Y.
Amile	Barden	Bloom	Bradley
Anderson, Mo.	Barry	Boehne	Brooks
Andresen, Minn.	Beam	Boileau	Brown

Buck	Fries, Ill.	Lewis, Md.	Richards
Buckler, Minn.	Fuller	Long	Robertson
Bulwinkle	Gambrill	Lord	Robinson, Utah
Burch	Garrett	Luce	Robison, Ky.
Burdick	Gasque	Ludlow	Rogers, Mass.
Byrne	Gavagan	Luecke, Mich.	Rogers, Okla.
Caldwell	Gearhart	McClellan	Rutherford
Cannon, Mo.	Gehrmann	McFarlane	Ryan
Carlson	Gildea	McGehee	Sabath
Carter	Gingery	McGranery	Sacks
Cartwright	Goldsborough	McGrath	Sanders
Case, S. Dak.	Gray, Ind.	McKeough	Sauthoff
Casey, Mass.	Gray, Pa.	McLaughlin	Schaefer, Ill.
Champion	Green	McMillan	Schneider, Wis.
Chandler	Greenwood	McSweeney	Schulte
Chapman	Greever	Maas	Scrugham
Church	Gregory	Magnuson	Secrest
Clark, Idaho	Griffith	Mahon, S. C.	Seger
Clark, N. C.	Griswold	Mahon, Tex.	Shanley
Clason	Guyer	Maloney	Shannon
Claypool	Gwynne	Mansfield	Sheppard
Cochran	Halleck	Mapes	Short
Coffee, Nebr.	Hamilton	Martin, Colo.	Simpson
Coffee, Wash.	Harrington	Martin, Mass.	Smith, Va.
Colden	Hart	Mason	Smith, Wash.
Cole, Md.	Harter	Massingale	Snell
Cole, N. Y.	Hartley	Maverick	Snyder, Pa.
Collins	Havener	May	Somers, N. Y.
Colmer	Hendricks	Mead	South
Cooley	Hennings	Meeks	Sparkman
Cooper	Higgins	Merritt	Spence
Costello	Hildebrandt	Michener	Stack
Cox	Hill, Ala.	Millard	Starnes
Crawford	Hill, Okla.	Miller	Steagall
Creal	Hobbs	Mills	Stefan
Crosby	Hoffman	Mitchell, Tenn.	Sullivan
Crosser	Honeyman	Moser, Pa.	Sumners, Tex.
Crowe	Hook	Mosier, Ohio	Sutphin
Culkin	Hope	Mott	Sweeney
Cullen	Houston	Mouton	Swope
Curley	Hull	Murdock, Utah	Tarver
Daly	Hunter	Nelson	Taylor, S. C.
Delaney	Imhoff	Nichols	Taylor, Tenn.
Dempsey	Izac	Norton	Teigan
DeMuth	Jarman	O'Brien, Ill.	Terry
DeRouen	Jarrett	O'Brien, Mich.	Thom
Dickstein	Jenckes, Ind.	O'Connell, R. I.	Thomas, Tex.
Dies	Jenkins, Ohio	O'Connor, Mont.	Thomason, Tex.
Dingell	Jenks, N. H.	O'Connor, N. Y.	Thompson, Ill.
Dirksen	Johnson, Luther A.	O'Leary	Thurston
Disney	Johnson, Lyndon	O'Malley	Tinkham
Ditter	Johnson, Okla.	O'Neal, Ky.	Tobey
Dixon	Johnson, W. Va.	O'Neill, N. J.	Tolan
Dondero	Jones	O'Toole	Towey
Dorsey	Kee	Oliver	Transue
Doughton	Keller	Owen	Treadway
Dowell	Kelly, Ill.	Pace	Turner
Doxey	Kelly, N. Y.	Palmisano	Umstead
Drew, Pa.	Kennedy, Md.	Parsons	Vinson, Fred M.
Drewry, Va.	Kennedy, N. Y.	Patman	Vinson, Ga.
Driver	Kenney	Patrick	Voorhis
Duncan	Keogh	Patterson	Wadsworth
Dunn	Kerr	Patterson	Wallgren
Eaton	Kinzer	Pearson	Walter
Eberhart	Kirwan	Peterson, Fla.	Warren
Eckert	Kitchens	Pettengill	Wearin
Edmiston	Kleberg	Pfeifer	Weaver
Elcher	Kloeb	Pierce	Welch
Elliott	Kniffin	Poage	West
Engel	Kocalkowski	Polk	Whelchel
Englebright	Kopplemann	Powers	White, Ohio
Evans	Kramer	Quinn	Whittington
Faddis	Lambertson	Rabaut	Wilcox
Fitzgerald	Lambeth	Ramsay	Williams
Fitzpatrick	Lamneck	Ramspeck	Withrow
Flannagan	Lanham	Randolph	Wolfenden
Flannery	Lanzetta	Rankin	Wolverton
Fleger	Larrabee	Rayburn	Wood
Fletcher	Lea	Reece, Tenn.	Woodruff
Forand	Leavy	Reed, Ill.	Woodrum
Ford, Calif.	Lemke	Rees, Kans.	The Speaker
Ford, Miss.	Lesinski	Relly	
Frey, Pa.	Lewis, Colo.	Rich	

NAYS—1

O'Connell, Mont.

NOT VOTING—63

Bacon	Farley	Kvale	Sadowski
Bates	Ferguson	Lucas	Schuetz
Bernard	Fernandez	Luckey, Nebr.	Scott
Bigelow	Fish	McAndrews	Shafer, Mich.
Brewster	Fulmer	McCormack	Sirovich
Buckley, N. Y.	Gifford	McGroarty	Smith, Conn.
Cannon, Wis.	Gilchrist	McLean	Smith, Maine
Celler	Haines	McReynolds	Smith, W. Va.
Citron	Hancock, N. Y.	Mitchell, Ill.	Taber
Cluett	Hancock, N. C.	Murdock, Ariz.	Taylor, Colo.
Cravens	Harlan	O'Day	Thomas, N. J.
Crowther	Healey	Peterson, Ga.	Vincent, B. M.
Cummings	Hill, Wash.	Peyser	Wene
Deen	Holmes	Phillips	White, Idaho
Dockweiler	Jacobsen	Plumley	Wigglesworth
Douglas	Johnson, Minn.	Reed, N. Y.	Wolcott
Ellenbogen	Knutson	Romjue	Zimmerman

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. BANKHEAD, and he voted "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. BIGELOW rose.

The SPEAKER pro tempore (Mr. NICHOLS). Was the gentleman present and listening when his name was called?

Mr. BIGELOW. Mr. Speaker, I cannot qualify. I was engaged on committee work. Had I been present, I would have voted "yea."

The Clerk announced the following pairs:

General pairs:

Mr. Taylor of Colorado with Mr. Taber.
Mr. Cravens with Mr. Gifford.
Mr. Deen with Mr. Bacon.
Mr. Fernandez with Mr. Holmes.
Mr. Harlan with Mr. Reed of New York.
Mr. Fulmer with Mr. Thomas of New Jersey.
Mr. McAndrews with Mr. Bates.
Mr. Lucas with Mr. Crowther.
Mr. McReynolds with Mr. Gilchrist.
Mr. Romjue with Mr. Fish.
Mr. Schuetz with Mr. Knutson.
Mr. McCormack with Mr. McLean.
Mr. Zimmerman with Mr. Wigglesworth.
Mr. Sirovich with Mr. Wolcott.
Mr. Smith of West Virginia with Mr. Cluett.
Mr. Haines with Mr. Douglas.
Mr. Peterson of Georgia with Mr. Shafer of Michigan.
Mr. Hancock of North Carolina with Mr. Hancock of New York.
Mr. Dockweiler with Mr. Smith of Maine.
Mr. White of Idaho with Mr. Kvale.
Mr. Ferguson with Mr. Johnson of Minnesota.
Mr. Scott with Mr. Bernard.
Mr. Celler with Mr. Mitchell of Illinois.
Mr. Peyser with Mr. Farley.
Mr. Smith of Connecticut with Mr. Buckley of New York.
Mr. Cummings with Mrs. O'Day.
Mr. Jacobsen with Mr. Beverly M. Vincent.
Mr. Cannon of Wisconsin with Mr. Sadowski.
Mr. Murdock of Arizona with Mr. Wene.
Mr. Luckey of Nebraska with Mr. Hill of Washington.
Mr. Phillips with Mr. McGroarty.
Mr. Citron with Mr. Ellenbogen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL SURPLUS COMMODITIES CORPORATION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2439) to extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation.

The Clerk read the title of the bill.

Mr. SNELL. Mr. Speaker, reserving the right to object, I think there was a misapprehension when the bill was objected to this morning. As I understand it, the gentlemen who objected are willing that the bill may be considered at this time.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in carrying out the provisions of clause (2) of section 32 of the act approved August 24, 1935 (49 Stat. 774), as amended, the Secretary of Agriculture may transfer to the Federal Surplus Commodities Corporation, which Corporation is hereby continued, until June 30, 1939, as an agency of the United States under the direction of the Secretary of Agriculture, such funds, appropriated by said section 32, as may be necessary for the purpose of effectuating said clause (2) of section 32: *Provided,* That such transferred funds, together with other funds of the corporation, may be used for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling of agricultural commodities and products thereof and inspection costs, commissions, and other incidental costs and expenses, without regard to the provisions of existing law governing the expenditure of public funds and for administrative expenses, including rent, printing and binding, and the employment of persons and means, in the District of Columbia and elsewhere, such employment of persons to be in accordance with the provisions of law applicable to the employment of persons by the Agricultural Adjustment Administration.

In carrying out clause (2) of section 32, the funds appropriated by said section may be used for the purchase, without regard to the provisions of existing law governing the expenditure of public funds, of agricultural commodities and products thereof, and such commodities, as well as agricultural commodities and prod-

ucts thereof purchased under the preceding paragraph hereof, may be donated for relief purposes.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BETTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short report from the Department of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

(Mr. LUCE asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. RICH rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. RICH. Mr. Speaker, may I inquire of the Chair when the special orders set for today will be called?

The SPEAKER. At the conclusion of all legislative business.

Mr. PEARSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I recently delivered at Lexington, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the railroad pension bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CIVILIAN CONSERVATION CORPS

Mr. RAMSPECK. Mr. Speaker, I call up the conference report on the bill (H. R. 6551) to establish a Civilian Conservation Corps, and for other purposes.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6551) to create a Civilian Conservation Corps, and for other purposes, having met, after full and free conference, have come to no agreement.

WILLIAM P. CONNERY, Jr.,

MARY T. NORTON,

ROBERT RAMSPECK,

RICHARD J. WELCH,

FRED A. HARTLEY, Jr.,

Managers on the part of the House.

HUGO L. BLACK,

ROYAL S. COPELAND,

DAVID I. WALSH,

WILLIAM E. BORAH,

ROBERT M. LA FOLLETTE, Jr.,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6551) to create a Civilian Conservation Corps, and for other purposes, have been unable to reach an agreement.

WILLIAM P. CONNERY, Jr.,

MARY T. NORTON,

ROBERT RAMSPECK,

RICHARD J. WELCH,

FRED A. HARTLEY, Jr.,

Managers on the part of the House.

The SPEAKER. The Clerk will report the Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment: Strike out all after the enacting clause and insert:

"That there is hereby established the Civilian Conservation Corps, hereinafter called the corps, for the purpose of providing employment and training for citizenship for youthful citizens of the United States who are unemployed, and to a limited extent as hereinafter set out, for war veterans and Indians, through the performance of useful public work in connection with the conservation and development of the natural resources of the United States, its Territories and insular possessions.

"Sec. 2. The President, by and with the advice and consent of the Senate, is authorized to appoint a Director at a salary of \$10,000 per annum. The Director shall have complete and final authority in the functioning of the corps, including the allotment of funds to cooperating Federal departments and agencies, subject to such rules and regulations as may be prescribed by the President in accordance with the provisions of this act.

"Sec. 3. In order to carry out the purpose of this act the Director is authorized to provide for the employment of the corps and its facilities on works of public interest or utility for the protection, restoration, regeneration, improvement, development, utilization, maintenance, or enjoyment of the natural resources of lands and waters, and the products thereof, including forests, fish, and wildlife on lands or interest in lands (including historical or archeological sites), belonging to, or under the jurisdiction or control of, the United States, its Territories and insular possessions, and the several States: *Provided*, That the President may, in his discretion, authorize the Director to undertake projects on lands belonging to or under the jurisdiction or control of counties, and municipalities and on lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are or may be provided for by acts of Congress, including the prevention and control of forest fires, forest-tree pests and diseases, soil erosions, and floods: *Provided further*, That no projects shall be undertaken on lands or interests in lands other than those belonging to or under the jurisdiction or control of the United States unless adequate provisions are made by the cooperating agencies for the maintenance, operation, and utilizations of such projects after completion.

"Sec. 4. There are hereby transferred to the corps all enrolled personnel, records, papers, property, funds, and obligations of the Emergency Conservation Work established under the Act of March 31, 1933 (48 Stat. 22), as amended, and the corps shall take over the institution of the camp exchange heretofore established and maintained, under supervision of the War Department, in connection with and aiding in administration of Civilian Conservation Corps work camps conducted under the authority of said act as amended.

"Sec. 5. The Director and, under his supervision, the heads of other Federal departments or agencies cooperating in the work of the corps are authorized within the limit of the allotments of funds therefor to appoint such civilian personnel as may be deemed necessary for the efficient and economical discharge of the functions of the corps, in accordance with the civil-service laws and regulations made thereunder, and their compensation shall be fixed in accordance with the Classification Act of 1923, as amended: *Provided*, That the employment of employees of the Emergency Conservation Work and of the cooperating Federal agencies whose compensation is paid from Emergency Conservation Work funds, as of June 30, 1937, and for at least 2 months prior thereto, may be continued, and such employees who do not have a competitive classified civil-service status appropriate for the positions to be occupied shall be permitted to take an appropriate noncompetitive examination to be given by the Civil Service Commission within a period of 10 months and those employees who do not receive an eligible rating as a result of said examination shall be dropped from the rolls not later than June 30, 1938: *Provided further*, That the provisions of this section shall not apply to Reserve officers on active duty with the corps, enrollees of the corps, or unskilled labor: *Provided further*, That notwithstanding any contrary provisions of this or any other act the employment of Indians shall be in accordance with section 12 of the act of June 18, 1934 (48 Stat. 934).

"Sec. 6. The President may order Reserve officers of the Army and officers of the Naval and Marine Reserves to active duty with the corps under the provisions of section 37a of the National Defense Act and the Act of February 28, 1925, respectively.

"Sec. 7. The Director is authorized to have enrolled not to exceed 300,000 men at any one time, of which not more than 30,000 may be war veterans: *Provided*, That in addition thereto camps or facilities may be established for not to exceed 10,000 additional Indian enrollees and 5,000 additional Territorial and insular-possession enrollees.

"Sec. 8. The enrollees in the corps (other than war veterans, enrollees in the Territories and insular possessions, Indians, not to exceed one mess steward, three cooks, and one leader per each company) shall be unmarried male citizens of the United States between the ages of 17 and 23 years, both inclusive, and shall at the time of enrollment be unemployed: *Provided*, That the Director may exclude from enrollment such classes of persons as he may consider detrimental to the well-being or welfare of the corps, except that no person shall be excluded on account of race, color, or creed: *Provided further*, That enrollments shall be for a period of not less than 6 months and reenrollments shall not exceed a total term of 2 years: *Provided further*, That in the discretion of the Director continuous service by the enrollee during

his period of enrollment shall not be required in any case where the enrollee attends an educational institution of his choice during his leave of absence: *Provided further*, That the Director shall be authorized to issue certificates of proficiency and merit to enrollees under such rules and regulations as he may provide.

"Sec. 9. The compensation of enrollees shall be in accordance with schedules approved by the President, and enrollees shall be permitted, under such regulations as may be prescribed by the Director, to make allotments of pay to dependents; to make deposits of pay in amounts specified by the Director with the Chief of Finance, War Department, to be repaid in case of an emergency or upon completion of or release from enrollment; and to receive the balance of their pay in cash monthly: *Provided*, That Indians may be excluded from these regulations: *Provided further*, That the pay of enrollees shall not exceed \$30 per month, unless such enrollees are used as leaders or for special services for which an additional amount of pay is justified.

"Sec. 10. Enrollees shall be provided, in addition to the monthly rates of pay, with such quarters, subsistence, and clothing, or commutation in lieu thereof; medical attention; hospitalization; and transportation as the Director may deem necessary: *Provided*, That burial, embalming, and transportation expenses of deceased enrolled members of the Corps, regardless of the cause and place of death, shall be paid in accordance with regulations of the Employees' Compensation Commission applicable to employees injured in line of duty: *Provided further*, That the provisions of the act of February 15, 1934 (U. S. C., title 5, sec. 76), relating to disability or death compensation and benefits, shall apply to the enrolled personnel of the Corps.

"Sec. 11. The Chief of Finance, War Department, is hereby designated, empowered, and directed, until otherwise ordered by the President, to act as the fiscal agent of the Director in carrying out the provisions of this act: *Provided*, That funds allocated to Government agencies for obligations under this act may be expended in accordance with the laws, rules, and regulations governing the usual work of such agency, except as otherwise stipulated in this act: *Provided further*, That in incurring expenditures the provisions of section 3709, Revised Statutes (U. S. C., title 41, sec. 5), shall not apply to any purchase or service when the aggregate amount involved does not exceed the sum of \$300.

"Sec. 12. The President is hereby authorized to utilize the services and facilities of such departments or agencies of the Government as he may deem necessary for carrying out the purposes of this act.

"Sec. 13. The Director and, under his supervision, the cooperating departments and agencies of the Federal Government are authorized to enter into such cooperative agreements with States and civil divisions as may be necessary for the purpose of utilizing the services and facilities thereof.

"Sec. 14. The Director may authorize the expenditure of such amounts as he may deem necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, and welfare, and may also authorize expenditures for the transportation and subsistence of selected applicants for enrollment and of discharged enrollees while en route upon discharge to their homes.

"Sec. 15. That personal property as defined in the act of May 29, 1935 (49 Stat. 311), belonging to the corps and declared surplus by the Director, shall be disposed of by the Procurement Division, Treasury Department, in accordance with the provisions of said act: *Provided*, That unserviceable property in the custody of any department shall be disposed of under the regulations of that department.

"Sec. 16. The Director and, under his supervision, the heads of cooperating departments and agencies are authorized to consider, ascertain, adjust, determine, and pay from the funds appropriated by Congress to carry out the provisions of this act any claim arising out of operations authorized by the act accruing after the effective date thereof on account of damage to or loss of property or on account of personal injury caused by the negligence of any enrollee or employee of the corps while acting within the scope of his employment: *Provided*, That the amount allowed on account of personal injury shall be limited to necessary medical and hospital expenses: *Provided further*, That this section shall not apply to any claim on account of personal injury for which a remedy is provided by section 10 of this act: *Provided further*, That no claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing within 1 year from the date of accrual thereof: *Provided further*, That acceptance by any claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof and the action of the Director or of the head of a cooperating department or agency upon such claim so accepted by the claimant shall be conclusive.

"Sec. 17. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the provisions and purposes of this act: *Provided*, That no part of any such appropriation shall be used in any way to pay any expense in connection with the conduct, operation, or management of any camp exchange, save and except such camp exchanges as are established and operated, in accordance with regulations to be prescribed by the Director, at such camps as may be designated by him, for real assistance and convenience to enrollees in supplying them and their supervising personnel on duty at any such camp with articles of ordinary use and consumption not furnished

by the Government: *Provided further*, That the person in charge of any such camp exchange shall certify, monthly, that during the preceding calendar month such exchange was operated in compliance herewith.

"Sec. 18. This act, except as otherwise provided, shall take effect July 1, 1937."

Mr. RAMSPECK (interrupting the reading of the Senate amendment). Mr. Speaker, I ask unanimous consent that the further reading of the Senate amendment be dispensed with.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, I would like to hear the amendment read.

Mr. NICHOLS. Mr. Speaker, reserving the right to object, and I shall not object, I think the chairman should explain the Senate amendment.

Mr. RAMSPECK. I shall explain the situation in full.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate to the bill (H. R. 6551) to establish a Civilian Conservation Corps, and for other purposes.

The SPEAKER. The Clerk will report the motion of the gentleman from Georgia.

The Clerk read as follows:

Mr. RAMSPECK moves that the House recede from its disagreement to the Senate amendment to the bill (H. R. 6551) to establish a Civilian Conservation Corps, and for other purposes.

Mr. RAMSPECK. Mr. Speaker, I hope I may have the careful attention of the Members of the House while I offer an explanation which it is absolutely necessary for you to hear if you are to understand what we are trying to do here this afternoon. We have a most unusual parliamentary situation, and, unless you understand what we are trying to do, we are going to have a lot of trouble and confusion.

At the time the Civilian Conservation Corps bill was sent to conference, the gentleman from New York [Mr. SNELL] reserved the right to object and stated that "the important matter in this conference is the continuation of the Civilian Conservation Corps camps. I think the gentleman from Massachusetts should give the House to understand that he will bring this matter back to the House on the question of any permanent extension of the Civilian Conservation Corps." After some discussion of what action the House conferees would take in the conference, the gentleman from Massachusetts, the late Mr. Connery, stated:

I may say that we will not agree to anything upon which the House has passed by a vote until we ask for a further vote in the House.

To carry out Mr. Connery's promise, I am now bringing back to the House for a separate vote the various matters to which the statement relates. First, the matter of vocational education; second, the matter of applicability of the civil-service laws and regulations to the civilian personnel of the Corps; and third, the pay of enrollees who may be classified as leaders. Since the conferees do not propose a permanent Civilian Conservation Corps, but have informally agreed to recommend a 3-year extension for the 2-year extension in the House bill, I do not construe Mr. Connery's promise to apply to that provision and I hope the gentleman from New York [Mr. SNELL] will agree with me.

First, let me explain the parliamentary situation, briefly. After having reported a conference agreement to the House, Mr. Connery asked that the bill be recommitted to the conferees in order to give the House an opportunity to express its choice on the three matters. In pursuance of this desire, the conferees have reported a disagreement. I propose to offer a motion that the House recede from its disagreement to the Senate amendment. If that motion carries, which I trust it will, I then propose to offer three separate amendments to the Senate amendment which will substitute for the Senate provisions in controversy the House provisions. On each of these amendments a separate vote may be had if desired.

After the disposition of the three motions, I shall move to offer as a substitute for the entire Senate amendment a proposal which will contain, first, all the matters tentatively agreed on by the conferees, about which I am sure there is no substantial controversy; and, second, the matters which the House has just voted on in the previous separate three motions.

By following this procedure we shall be able to dispose of the noncontroversial matters, give the House the desired separate votes, and offer a proposition to the Senate which it can agree to or send to conference and which will set forth in definite fashion the position of the House.

I may say further that the reason for this complicated procedure is the fact that the Senate, in considering the House bill, struck out all after the enacting clause and substituted the Senate bill. It therefore became impossible for the conference, under the parliamentary situation, to carry out the promise which Mr. Connery made the gentleman from New York [Mr. SNELL] when the bill was taken from the Speaker's table and sent to conference. This is the only parliamentary method by which we can carry out that promise, and I am sure the Members of the House, in view of what has happened since, will join with me in helping to keep a promise for a man who never broke one. [Applause.]

Mr. SNELL. Mr. Speaker, will the gentleman from Georgia yield?

Mr. RAMSPECK. I yield to the gentleman.

Mr. SNELL. I may say to the gentleman that I think the committee of conference has done all it could in the matter. I had a short talk with our late colleague, Mr. Connery, a few days before he passed away, and he explained the matter to a certain extent, and his explanation was along the same line as that of the gentleman from Georgia. I think under the circumstances you have done all you could, and, while I would have preferred an extension of 2 years rather than 3 years, I think you have done your part, and I shall not raise any further objection. [Applause.]

Mr. RAMSPECK. I thank the gentleman from New York.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Michigan.

Mr. MAPES. I do not understand clearly the parliamentary situation. As I understand the gentleman's motion, it is to recede and concur in the Senate amendment?

Mr. RAMSPECK. No; the motion now is simply to recede from our disagreement to the Senate amendment. If this motion is adopted, then I have some other motions which embody the position of the House on the question and upon which the House will have the opportunity of voting.

Mr. MAPES. I misunderstood the gentleman's motion.

Mr. RAMSPECK. If the pending motion is adopted, then I shall offer a motion to put back in the bill the provisions of the House bill and we will then go to conference on that.

Mr. MAPES. After the House recedes, the gentleman then proposes to offer amendments to the Senate amendment?

Mr. RAMSPECK. That is correct.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. NICHOLS. Do I understand the gentleman proposes in these three motions to put the bill back in the shape it was in when it passed the House?

Mr. RAMSPECK. The gentleman is absolutely correct with the exception of the difference between 3 years and 2 years.

Mr. NICHOLS. Will the motions of the gentleman be debatable, as the gentleman understands it?

Mr. RAMSPECK. I shall have to ask the Chair that question.

The SPEAKER. If the question is submitted in the form of a parliamentary inquiry, the Chair may state that the motions will be debatable under the 1-hour rule.

Mr. RAMSPECK. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

Mr. RAMSPECK. Mr. Speaker, I offer the following motion, which I send to the desk.

The Clerk read as follows:

Mr. RAMSPECK moves that on page 1, line 3, of the Senate amendment, strike out "and training for citizenship" and insert "as well as vocational training", and on page 1, line 9, before the period, insert "Provided, That at least 10 hours each week may be devoted to general education and vocational education."

The SPEAKER. The gentleman from Georgia is recognized for 1 hour.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. WADSWORTH. In listening to the second half of the amendment, as I understand it, it reads that at least 10 hours may be devoted each week to vocational training.

Mr. RAMSPECK. The gentleman is correct.

Mr. WADSWORTH. Does not the gentleman mean that not more than 10 hours may be devoted to vocational training?

Mr. RAMSPECK. This is the language that was in the House bill, and what I am attempting to do is to give the House a chance to vote either up or down the provisions of the House bill.

Mr. WADSWORTH. But let us say what we mean. We do not mean to say that at least a certain number of hours may be provided.

Mr. RAMSPECK. I understand the gentleman's point, but I am trying to stick to the agreement to bring this back to the House. Frankly, I like the language of the Senate bill on this particular matter better than I like the language of the House bill, but I am moving to put in the House provision to carry out the promise made.

Mr. WADSWORTH. My only observation is that if the language now proposed ever reaches the statute books, it will not have any meaning.

Mr. FULLER. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. FULLER. If we adopt the gentleman's amendment, the gentleman still has the right on this particular language to change it in conference and bring it back to the House?

Mr. RAMSPECK. That is correct.

Mr. COLLINS. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. COLLINS. Regarding the question of the gentleman from New York [Mr. WADSWORTH] it seems to me, in view of the fact that these boys are expected after their terms of enlistment have expired to go out into the world and earn a livelihood, they ought to have at least 10 hours of training in vocational education as provided in the House bill. I think therefore the language in the House bill is preferable to the language in the Senate bill.

Mr. WADSWORTH. Which is not mandatory. It says at least 10 hours may be provided. If we want the 10 hours, we should say that not less than 10 hours shall be provided.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. WHITTINGTON. I listened as carefully as I could to the reading of the proviso and it occurred to me that it is not in the language of the House bill. Will the gentleman be good enough to repeat it.

Mr. RAMSPECK. The language of the proviso is:

Provided, That at least 10 hours each week may be devoted to general education and vocational education.

Mr. WHITTINGTON. "Vocational education" is not the language originally used in the House bill. It was "vocational training." I have the bill before me.

Mr. RAMSPECK. If that is the case, then the language ought to be changed.

Mr. WHITTINGTON. I suggest that the gentleman ask unanimous consent to correct that language.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to modify the last word in the amendment and change it from "education" to "training."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The Clerk will report the modified amendment.

The Clerk read as follows:

Mr. RAMSPECK moves that on page 1, line 3, of the Senate amendment, strike out "and training for citizenship" and insert "as well as vocational training"; and on page 1, line 9, before the period insert "Provided, That at least 10 hours each week may be devoted to general education and vocational training."

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. DINGELL. As I understood the gentleman from Georgia has stated that he prefers personally the wording of the Senate.

Mr. RAMSPECK. That is correct.

Mr. DINGELL. They both seek the same objective.

Mr. RAMSPECK. That is correct.

Mr. DINGELL. Then, according to that, for the benefit of the membership of the House, am I correct in presuming that to attain the same objective and to be more certain it would be wiser on the part of the House to vote down the motion of the gentleman from Georgia?

Mr. RAMSPECK. It is a question of language, of course. I think the Senate language is broader, because it uses the words "training for citizenship", which includes everything.

Mr. DINGELL. I have a great deal of confidence in any advice the gentleman from Georgia gives to the House, and for that reason desire to follow him. I realize that he presents a problem here to carry out a certain agreement heretofore entered into, but that is merely the discharge of an obligation on the part of the gentleman from Georgia. I want to vote against the gentleman's motion if he thinks the Senate objects and the Senate wording is better.

Mr. RAMSPECK. Personally, I think the Senate language is preferable from a number of standpoints. However, I am not saying that to influence the vote of any Member. The Members can vote any way they please, but personally I like the Senate provision, because I think "training for citizenship" includes vocational training as well as every other kind of training that they might think would be worth while to make these boys better citizens.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. DICKSTEIN. As I understand, you are not teaching "training for citizenship", which is very important under that section of the bill. You are adding to the training—

Mr. RAMSPECK. No, no. The gentleman is mistaken. We are moving to substitute "vocational training and general education" for the Senate language, which is "training for citizenship."

Mr. DICKSTEIN. Will your language take care of those who want to train for citizenship, to make them better citizens?

Mr. RAMSPECK. I do not think, under the language which I am moving to substitute, that they could teach anything except general education and vocational training.

Mr. DICKSTEIN. Then you are practically repealing that training for citizenship that some men would like to get while in the camps?

Mr. RAMSPECK. We have taken out the Senate language. The gentleman knows the difference between the two provisions.

Mr. DICKSTEIN. But I think you are taking the heart out of the bill.

Mr. RAMSPECK. We are trying to put back what was in the House bill.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Would the gentleman kindly report in full the Senate language, especially that portion of it, if it contains any reference, concerning the number of hours they shall teach? Does the Senate language have any provision with reference to the minimum or maximum number of hours?

Mr. RAMSPECK. The Senate has no provision as to the number of hours. They struck out the House bill and substituted an entirely different bill. It contains this language:

That there is hereby established the Civilian Conservation Corps, hereinafter called the corps, for the purpose of providing employment and training for citizenship.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. Since the language in the Senate provision is so broad and general in nature, is there not danger of one camp having one idea about what citizenship is, and in following that idea teach some particular thing, while the man in charge of another camp would have an entirely different idea as to citizenship, and he would teach another thing, and would that not encourage lack of uniformity of training among these boys?

Mr. RAMSPECK. Of course the gentleman is as well able to judge that as I am, but I do not think so, for this reason: The educational program is directed from the Washington office of the corps. They have educational advisers in each camp, and I presume they are told what to teach.

Mr. NICHOLS. At least, if we did adopt the Senate provision, it is possible that any person in charge of instruction in any particular camp or section might teach anything so long as he was able to interpret it as being a course in good citizenship. That is right, is it not?

Mr. RAMSPECK. I presume so, subject, of course, to the direction of the chief officer in Washington.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. RANDOLPH. Regardless of what the House does in connection with the matter of vocational education or general education program, personally I believe the Senate language is preferable, because, as the gentleman says, the direction of the educational program is from Washington, and the camp educational directors of course follow their own initiative, and we will provide for it in whichever way we adopt this amendment; but regardless of that fact, we must not overlook that whereas it is important to bring out the educational program for these boys, we must not fail to take into consideration the splendid accomplishments of the work program of the C. C. C.

Mr. GRISWOLD. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. GRISWOLD. I call the gentleman's attention to some statements made in the hearings with relation to this very matter, and if I am wrong I want my colleague to correct me. The basis of Mr. Fechner's testimony on this training was that we were now training them for citizenship, and he did not think the camps could train them vocationally because they were not so equipped, but that they were training them for citizenship. Is not that the basis of his testimony?

Mr. RAMSPECK. I think so, in substance. However, he did say that they were receiving vocational training in connection with the work to a certain extent.

Mr. GRISWOLD. That is, on the job. They obtained that as a part of the work they were doing, but he claimed that the whole system of the camp was an education for citizenship.

Mr. RAMSPECK. Yes; that is correct.

Mr. GRISWOLD. And also the director of education, or whatever his title is, who appeared before the committee along with Mr. Fechner, testified to practically the same thing, I believe.

Mr. RAMSPECK. Yes.

Mr. GRISWOLD. Is it not true, then, that on the basis of that testimony of the present administration, both on the educational system and the camps in general, the Senate language would leave us in the position of having the same educational facilities and the same educational program that we have now, with practically no change?

Mr. RAMSPECK. I think the gentleman's assumption is correct.

Mr. COLDEN. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. COLDEN. The phrase in the Senate amendment "training for citizenship" has a very restricted meaning in a great many of the schools and colleges of the country, their contention being that it relates particularly to the question of government. As I understand it, the gentleman does not want to exclude vocational training. I am wondering whether that language is definite enough to cover the purposes of the C. C. C. camps.

Mr. RAMSPECK. I think it is, I will say to the gentleman.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. BOILEAU. I presume that the conferees had some discussion as to the meaning of the term in the Senate amendment "training for citizenship." For the sake of the RECORD, will the gentleman inform us as to whether there was any discussion among the conferees, or any suggestion in the minds of the members of the House Committee on Labor that training for citizenship should include military training?

Mr. RAMSPECK. It was never in the minds of the conferees that it should include military training.

Mr. BOILEAU. Then it is the gentleman's idea that the expression "training for citizenship" does not include military training?

Mr. RAMSPECK. The gentleman is correct; I have no such idea.

Mr. SNYDER of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. SNYDER of Pennsylvania. Regarding this inquiry in respect of military training, may I say that Dr. Fechner appeared before the Appropriations Subcommittee on the War Department and at that time stated very emphatically that he did not want to have military training go any further than it does now in the camps.

I rose, Mr. Speaker, primarily to ask the gentleman if there was any objection to substituting the word "shall" for the word "may" in the amendment, making it read "that not less than 10 hours shall be devoted to educational training"?

Mr. RAMSPECK. Yes; I may say to the gentleman from Pennsylvania that there is a good deal of objection to that. In the first place, if it is made mandatory it would take many millions of dollars to carry it out, for it would involve the building of many buildings and the acquisition of much equipment and facilities that the Administration at present lacks for such a mandatory program.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. WADSWORTH. I do not want to torture this subject, but I do want this sentence to mean something. As it is presently written it does not mean anything. It reads that "at least 10 hours each week may be devoted." That is meaningless. The gentleman from Georgia has raised the objection to the suggestion of the gentleman from Pennsylvania that changing the word "may" to "shall" would be too expensive. Would the gentleman from Georgia favor changing the language to read "not more than 10 hours may be devoted"? This will mean something.

Mr. RAMSPECK. I personally would not have any objection to that; but I do not think we want to start amending these motions.

Mr. JENKS of New Hampshire. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. JENKS of New Hampshire. As I understand the gentleman's motion, it is to eliminate vocational training. Am I right?

Mr. RAMSPECK. Oh, no; my motion is to restore the language that was in the bill as it passed the House. The gentleman is familiar with that, I am sure. It calls for "vocational training and general education."

Mr. JENKS of New Hampshire. In other words, it will be as the House passed the bill.

Mr. RAMSPECK. Exactly.

Mr. JENKS of New Hampshire. I thank the gentleman.

Mr. RAMSPECK. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

Mr. WADSWORTH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. WADSWORTH. To offer an amendment to the amendment.

The SPEAKER. The previous question has already been ordered, the Chair will state to the gentleman. It is too late to offer an amendment to the amendment.

The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. RAMSPECK. Mr. Speaker, I offer a further motion.

The Clerk read as follows:

Mr. RAMSPECK moves that on page 3, lines 15 to 25, and page 4, lines 1 to 11, of the Senate amendment, strike out "in accordance with the civil-service laws and regulations made thereunder, and their compensation shall be fixed in accordance with the Classification Act of 1923, as amended: *Provided*, That the employment of employees of the emergency conservation work and of the cooperating Federal agencies whose compensation is paid from emergency conservation work funds, as of June 30, 1937, and for at least 2 months prior thereto, may be continued, and such employees who do not have a competitive classified civil-service status appropriate for the positions to be occupied shall be permitted to take an appropriate noncompetitive examination to be given by the Civil Service Commission within a period of 10 months and those employees who do not receive an eligible rating as a result of said examination shall be dropped from the rolls not later than June 30, 1938: *Provided further*, That the provisions of this section shall not apply to Reserve officers on active duty with the corps, enrollees of the corps, or unskilled labor: *Provided further*, That notwithstanding any contrary provisions of this or any other act the employment of Indians shall be in accordance with section 12 of the act of June 18, 1934 (48 Stat. 954)" and insert "without regard to the civil-service laws and regulations."

Mr. RAMSPECK. Mr. Speaker, in the nearly 8 years I have been a Member of Congress, this is the first time I have ever made a motion to take civil service out of a bill. I am doing it now in order to carry out the promise of my beloved colleague who has passed away.

If the House adopts this motion as I have made it, it will take out the civil-service provision inserted by the Senate and restore the language of the House bill which provides for appointments in the Civilian Conservation Corps without regard to the civil service. Personally, of course, I shall vote against my own motion, but this gives the House a chance to reassert its position.

I think there is probably no necessity for further discussion.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. RAMSPECK) there were—ayes 143, noes 77.

Mr. SNELL. Mr. Speaker, I make the point of order there is not a quorum present, and I object to the vote on that ground.

The SPEAKER. The Chair just announced a vote totaling 220 Members.

Mr. SNELL. Mr. Speaker, I ask for the yeas and nays. The yeas and nays were refused. So the amendment was agreed to.

A motion to reconsider was laid on the table.

Mr. RAMSPECK. Mr. Speaker, I offer another motion, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. RAMSPECK moves that, on page 6, lines 3 to 6, of the Senate amendment, strike out "That the pay of enrollees shall not exceed \$30 per month unless such enrollees are used as leaders or for special services for which an additional amount of pay is justified" and insert "That the pay of enrollees shall not exceed \$30 per month, except for not more than 10 percent who may be designated as leaders and who shall receive not more than \$36 a month: *Provided further*, That not to exceed 6 percent shall receive \$45 as leader."

Mr. RAMSPECK. Mr. Speaker, this substitutes the language of the House bill in the Senate bill.

Mr. RANDOLPH. That is the present pay schedule, is it not?

Mr. RAMSPECK. I understand so.

Mr. RANDOLPH. That is right.

Mr. NICHOLS. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. Does the gentleman know that 10 percent of the present enrollees are now used as assistant leaders and 6 percent are used as leaders? I am frank to say I do not know.

Mr. RAMSPECK. I do not know about the percentage. I know some of them are.

Mr. NICHOLS. As a matter of fact I am heartily in sympathy with this amendment and supported it; however, there is not a great deal of disagreement between the Senate proposal and the House proposal, is there?

Mr. RAMSPECK. The Senate proposal is similar to what we have always had in the law; that is, \$30 a month.

Mr. NICHOLS. But it does make an exception?

Mr. RAMSPECK. It makes an exception of the leaders.

Mr. NICHOLS. Is that because of existing law?

Mr. RAMSPECK. In the existing law there is no limit on the pay, as I understand it. That is fixed by the President.

Mr. NICHOLS. Did not the hearings before the gentleman's committee indicate that the percentage of 10 percent and 6 percent were about right as it was being worked now?

Mr. RAMSPECK. I think the gentleman is correct.

Mr. NICHOLS. I wonder if any member of the committee is able to answer that question?

Mr. RANDOLPH. In connection with the percentages which have been discussed by the gentleman from Oklahoma, and in answer to his question, may I say it has been brought out that the 10 percent and the 6 percent are in excess of those who are now what we call leaders in the camps. In relation to the other question that has been raised of the pay schedule, although it is not in existing law, they are operating upon the plan which is offered in the amendment, paying up to \$45 a month for a certain number of leaders. That is by virtue of the director of the Emergency Conservation work himself.

Mr. NICHOLS. Then the real purpose of the House provision is to provide a uniform percentage throughout the United States which will apply to all camps alike? That is, so as not to exceed 10 or not more than 10 percent. This fixes the top, but fixes it so that it will be uniform throughout all of the camps in the United States?

Mr. RANDOLPH. The gentleman is absolutely correct in his interpretation, as I understand it.

Mr. FADDIS. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Will the gentleman tell us which of these provisions in regard to the pay schedule, the Senate or the House provision, is the most economical?

Mr. RAMSPECK. I may say to the gentleman very frankly I do not think anybody could answer that question.

It depends on the administration. I do not think they would ever have more than the percentages set out here because where there has been no regulation I do not think they would exceed that; although, of course, under the language of the Senate amendment they could exceed that. The House provision is a limitation which the Senate provision does not provide.

Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

A motion to reconsider was laid on the table.

Mr. RAMSPECK. Mr. Speaker, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. RAMSPECK moves that, on page 5, line 10, of the Senate amendment, after "reenrollment", insert "(except in the case of one mess steward, three cooks, and one leader, in each company, and war veterans)."

Mr. RAMSPECK. Mr. Speaker, the necessity for this motion arises from the fact that the language in the bill as adopted by the Senate is considered by the Director and those in charge as a limitation on the time the enrollees could stay in the camps. The Director and those who are responsible for administering this legislation feel that the language would also limit the time war veterans could stay in the camps, and also it would limit the time that the mess steward, the three cooks, and the leader might stay in the camp. Therefore, I have offered this motion amending the Senate bill so as to take those classes out of the limitation.

Mr. NICHOLS. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. Do the provisions of the Senate bill limit the time that enrollees may stay in the camps?

Mr. RAMSPECK. The junior enrollees cannot stay for over 2 years, under the language of the Senate bill. There are war veterans who have already been in camp 2 years who would have to be dismissed without this amendment.

Mr. NICHOLS. In the bill as it passed the House there was no limitation on enrollees?

Mr. RAMSPECK. I cannot answer the gentleman's question. I do not have the bill before me. I do not remember the language. However, this matter was called to my attention by the Acting Director himself, and we are trying to straighten it out here.

Mr. NICHOLS. I can see how the gentleman's amendment is necessary in order to have some nucleus of permanent organization in the camp, but I am wondering if it is wise to go as far as to limit enrollees, when that is an administrative matter which should be handled by those in charge of enrollees, and so forth. If it is left open, they can by administrative order govern the time for enrollees and the number of enrollees as they have done in the past. Of course, the gentleman's amendment will go back to conference, and even if the question is not voted on at this time, I would suggest that the conferees discuss rather thoroughly and consider rather thoroughly the advisability of limiting the time enrollees may stay in the camp, and report back to the House. Of course, I shall support the gentleman's pending amendment.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. RANDOLPH. As the gentleman from Oklahoma has stated, I think that if we pass this amendment it will be in order for the conferees to discuss the matter of the time of enrollees. As the bill passed the House, there was no time limit set upon the enrollee himself, but we realize that today there are about 25,000 war veterans in the C. C. C. program. The language of the amendment offered by the gentleman from Georgia certainly would take care of that

group and protect it. It will also be helpful as the conferees discuss the further subjects of enrollment and of the enrollees themselves. I trust the amendment will be adopted.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to. A motion to reconsider was laid on the table.

Mr. RAMSPECK. Mr. Speaker, I offer a further motion.

The Clerk read the motion, as follows:

Mr. RAMSPECK moves that the House concur in the Senate amendment with an amendment.

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That there is hereby established the Civilian Conservation Corps, hereinafter called the corps, for the purpose of providing employment, as well as vocational training, for youthful citizens of the United States who are unemployed and in need of employment, and to a limited extent as hereinafter set out, for war veterans and Indians, through the performance of useful public work in connection with the conservation and development of the natural resources of the United States, its Territories, and insular possessions: *Provided*, That at least 10 hours each week may be devoted to general educational and vocational training: *Provided*, That the provisions of this act shall continue for the period of 3 years after July 1, 1937, and no longer.

"Sec. 2. The President, by and with the advice and consent of the Senate, is authorized to appoint a Director at a salary of \$10,000 per annum. The Director shall have complete and final authority in the functioning of the corps, including the allotment of funds to cooperating Federal departments and agencies, subject to such rules and regulations as may be prescribed by the President in accordance with the provisions of this act.

"Sec. 3. In order to carry out the purposes of this act, the Director is authorized to provide for the employment of the corps and its facilities, on works of public interest or utility for the protection, restoration, regeneration, improvement, development, utilization, maintenance, or enjoyment of the natural resources of lands and waters, and the products thereof, including forests, fish, and wildlife on lands or interest in lands (including historical or archeological sites), belonging to, or under the jurisdiction or control of the United States, its Territories and insular possessions, and the several States: *Provided*, That the President may, in his discretion, authorize the Director to undertake projects on lands belonging to or under the jurisdiction or control of counties and municipalities and on lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are or may be provided for by acts of Congress, including the prevention and control of forest fires, forest-tree pests and diseases, soil erosion, and floods: *Provided further*, That no projects shall be undertaken on lands or interests in lands other than those belonging to or under the jurisdiction or control of the United States, unless adequate provisions are made by the cooperating agencies for the maintenance, operation, and utilization of such projects after completion.

"Sec. 4. There are hereby transferred to the corps all enrolled personnel, records, papers, property, funds, and obligations of the Emergency Conservation Work established under the act of March 31, 1933 (48 Stat. 22), as amended; and the Corps shall take over the institution of the camp exchange heretofore established and maintained, under supervision of the War Department, in connection with and aiding in administration of Civilian Conservation Corps work camps conducted under the authority of said act as amended: *Provided*, That such camp exchange shall not sell to persons not connected with the operation of the Civilian Conservation Corps.

"Sec. 5. The Director and, under his supervision, the heads of other Federal departments or agencies cooperating in the work of the corps, are authorized within the limit of the allotments of funds therefor to appoint such civilian personnel as may be deemed necessary for the efficient and economical discharge of the functions of the corps, without regard to the civil-service laws and regulations.

"Sec. 6. The President may order Reserve officers of the Army and officers of the Naval and Marine Reserves and warrant officers of the Coast Guard to active duty with the corps under the provisions of section 37a of the National Defense Act and the act of February 28, 1925, respectively.

"Sec. 7. The Director is authorized to have enrolled not to exceed 300,000 men at any one time, of which not more than 30,000 may be war veterans: *Provided*, That in addition thereto camps or facilities may be established for not to exceed 10,000 additional Indian enrollees and 5,000 additional Territorial and insular possession enrollees.

"Sec. 8. The enrollees in the corps (other than war veterans, enrollees in the Territories and insular possessions, Indians, not to exceed one mess steward, three cooks, and one leader per each company) shall be unmarried male citizens of the United States between the ages of 17 and 23 years, both inclusive, and shall at the time of enrollment be unemployed and in need of employment: *Provided*, That the Director may exclude from enrollment such classes of persons as he may consider detrimental to the well-being or welfare of the corps, except that no person shall be excluded on account of

race, color, or creed: *Provided further*, That enrollments shall be for a period of not less than 6 months and reenrollments (except in the case of one mess steward, three cooks, and one leader in each company, and war veterans) shall not exceed a total term of 2 years: *Provided further*, That in the discretion of the Director continuous service by the enrollee during his period of enrollment shall not be required in any case where the enrollee attends an educational institution of his choice during his leave of absence: *Provided further*, That the Director shall be authorized to issue certificates of proficiency and merit to enrollees under such rules and regulations as he may provide.

"Sec. 9. The compensation of enrollees shall be in accordance with schedules approved by the President, and enrollees with dependent member or members of their families shall be required, under such regulations as may be prescribed by the Director, to make allotments of pay to such dependents. Other enrollees may make deposits of pay in amounts specified by the Director with the Chief of Finance, War Department, to be repaid in case of an emergency or upon completion of or release from enrollment and to receive the balance of their pay in cash monthly: *Provided*, That Indians may be excluded from these regulations: *Provided further*, That the pay of enrollees shall not exceed \$30 per month, except for not more than 10 percent who may be designated as leaders and who shall receive not more than \$36 a month: *Provided further*, That not to exceed 6 percent shall receive \$45 as leader.

"Sec. 10. Enrollees shall be provided, in addition to the monthly rates of pay, with such quarters, subsistence, and clothing, or commutation in lieu thereof, medical attention, hospitalization, and transportation as the Director may deem necessary: *Provided*, That burial, embalming, and transportation expenses of deceased enrolled members of the corps, regardless of the cause and place of death, shall be paid in accordance with regulations of the Employees' Compensation Commission: *Provided further*, That the provisions of the act of February 15, 1934 (U. S. C., 1934 ed., title 5, sec. 796), relating to disability or death compensation and benefits shall apply to the enrolled personnel of the corps.

"Sec. 11. The Chief of Finance, War Department, is hereby designated, empowered, and directed, until otherwise ordered by the President, to act as the fiscal agent of the Director in carrying out the provisions of this act: *Provided*, That funds allocated to Government agencies for obligation under this act may be expended in accordance with the laws, rules, and regulations governing the usual work of such agency, except as otherwise stipulated in this act: *Provided further*, That in incurring expenditures, the provisions of section 3709, Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5), shall not apply to any purchase or service when the aggregate amount involved does not exceed the sum of \$300.

"Sec. 12. The President is hereby authorized to utilize the services and facilities of such departments or agencies of the Government as he may deem necessary for carrying out the purposes of this act.

"Sec. 13. The Director and, under his supervision, the cooperating departments and agencies of the Federal Government are authorized to enter into such cooperative agreements with States and civil divisions as may be necessary for the purpose of utilizing the services and facilities thereof.

"Sec. 14. The Director may authorize the expenditure of such amounts as he may deem necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, and welfare, and may also authorize expenditures for the transportation and subsistence of selected applicants for enrollment and of discharged enrollees while en route upon discharge to their homes.

"Sec. 15. That personal property as defined in the act of May 29, 1935 (49 Stat. 311), belonging to the corps and declared surplus by the Director, shall be disposed of by the Procurement Division, Treasury Department, in accordance with the provisions of said act: *Provided*, That unserviceable property in the custody of any department shall be disposed of under the regulations of that department.

"Sec. 16. The Director and, under his supervision, the heads of cooperating departments and agencies are authorized to consider, ascertain, adjust, determine, and pay from the funds appropriated by Congress to carry out the provisions of this act any claim arising out of operations authorized by the act accruing after the effective date thereof on account of damage to or loss of property or on account of personal injury to persons not provided for by section 10 of this act, caused by the negligence of any enrollee or employee of the corps while acting within the scope of his employment: *Provided*, That the amount allowed on account of personal injury shall be limited to necessary medical and hospital expenses: *Provided further*, That this section shall not apply to any claim on account of personal injury for which a remedy is provided by section 10 of this act: *Provided further*, That no claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing within 1 year from the date of accrual thereof: *Provided further*, That acceptance by any claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action of the Director or of the head of a cooperating department or agency upon such claim so accepted by the claimant shall be conclusive.

"Sec. 17. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the purposes

of this act: *Provided*, That no part of any such appropriation shall be used in any way to pay any expense in connection with the conduct, operation, or management of any camp exchange, save and except such camp exchanges as are established and operated, in accordance with regulations to be prescribed by the Director, at such camps as may be designated by him, for real assistance and convenience to enrollees in supplying them and their supervising personnel on duty at any such camp with articles of ordinary use and consumption not furnished by the Government: *Provided further*, That the person in charge of any such camp exchange shall certify, monthly, that during the preceding calendar month such exchange was operated in compliance herewith.

"Sec. 18. This act, except as otherwise provided, shall take effect July 1, 1937."

Mr. RAMSPECK (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment and that the amendment be printed in the RECORD.

Mr. Speaker, I may state to the House in explanation of the amendment that it contains the amendments which the House has just adopted, together with the other language necessary to carry out the parliamentary procedure. The amendment also contains the noncontroversial matters informally agreed to by the conferees and the substance of House Concurrent Resolution 15. This resolution provides that in the enrollment of the bill there shall be stricken out language which does not permit the payment of cost of shipment home of bodies of deceased enrollees. The resolution was to correct this mistake, and it has been deemed advisable to include its provisions in the present amendment. The conferees and the administration are in agreement that this correction should be made.

The SPEAKER. The gentleman from Georgia asks unanimous consent to dispense with the further reading of the amendment to the Senate amendment, and that it be printed in the RECORD. Is there objection?

Mr. NICHOLS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Georgia if after the conferees have again met on this matter, if there is disagreement regarding the position expressed by the House today the bill will be brought back to the House in such shape the House can again express itself separately on the amendments offered by the conferees?

Mr. RAMSPECK. I may say to the gentleman I do not think that is possible under the parliamentary procedure, because we are dealing with a Senate amendment, which is language inserted after striking out all after the enacting clause of the House bill. The very reason we have gone through this complicated procedure today is simply to carry out a promise similar to the one the gentleman is now asking me to make, which I would have no authority to make, anyway, because I am not in charge of the proposed legislation. I do not think it will be possible, but I certainly would not agree that we should go through this procedure again, because if we did, we would never get through with it, and this law must be enacted by the 30th of June.

Mr. NICHOLS. Of course, it could be done by doing the same thing we have done today.

Mr. RAMSPECK. Yes; by having a complete disagreement and coming back and following this procedure again. I may say to the gentleman I think I know what he has in his mind, and, so far as I am concerned, although I personally do not agree with the action of the House, if I am appointed a conferee again, I expect individually to uphold the position of the House on the civil-service provision, as far as possible.

Mr. NICHOLS. And on the other amendment, too, I presume?

Mr. RAMSPECK. Oh, yes.

Mr. FADDIS. Mr. Speaker, reserving the right to object, would the gentleman explain briefly just what this amendment is which he proposes, so the House will understand?

Mr. RAMSPECK. This amendment includes the amendments which we have adopted and certain other minor changes in the bill which were not in controversy and were not the subject of debate, motions, and votes in the House.

This simply puts the bill back in parliamentary shape to go back to the Senate, so they can either accept it or send it to conference again.

Mr. MEAD. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. MEAD. Not being familiar with the conference report, may I ask the gentleman if the salary of the Director is an item in controversy?

Mr. RAMSPECK. The salary of the Director is not in controversy, and remains as fixed by the House, the Senate having adopted the same amount.

Mr. MEAD. That is too bad.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. RANDOLPH. It is my understanding the action today by the House will bring about this situation. The Senate could agree to what we have done, and then it would not go to conference and we would not have to take it up again on this floor. Am I correct in that understanding?

Mr. RAMSPECK. The gentleman is correct. They could accept the situation and the bill would go into effect.

The SPEAKER. Is there objection to the request of the gentleman from Georgia to dispense with the further reading of the amendment?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

EXCISE TAX UPON CARRIERS AND CERTAIN OTHER EMPLOYERS AND INCOME TAX UPON CERTAIN EMPLOYEES

Mr. DOUGHTON, from the Committee on Ways and Means, submitted a report on the bill (H. R. 7589, Rept. No. 1071) to levy an excise tax upon carriers and certain other employers, and an income tax upon their employees, and for other purposes, which was read a first and second time, and with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York [Mr. CULKIN], on Monday next, after the disposition of matters on the Speaker's table and the legislative program for that day, may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN asked and was given permission to revise and extend his own remarks.

STAMP PROVISIONS OF THE BOTTLING IN BOND ACT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6737) to amend the stamp provisions of the Bottling in Bond Act.

The Clerk read the title of the bill.

Mr. TREADWAY. Mr. Speaker, reserving the right to object, and I shall not object, I think the matter is of sufficient administrative importance for the chairman of the Ways and Means Committee or some member of the majority to explain the measure to the House.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? (After a pause.) The Chair hears none and the gentleman from North Carolina is recognized.

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry. I understood the gentleman from Massachusetts [Mr. TREADWAY] reserved the right to object, and the gentleman from North Carolina was going to explain the bill.

The SPEAKER. The Chair understood the gentleman from Massachusetts to state that he would not object.

Mr. TREADWAY. Mr. Speaker, I stated that I reserved the right to object, but would not object.

Mr. BOILEAU. Mr. Speaker, I would like at this time to reserve the right to object simply to get an explanation of the bill.

The SPEAKER. The gentleman from North Carolina is recognized to explain the bill, and the gentleman from Wisconsin [Mr. BOILEAU] reserves the right to object.

Mr. DOUGHTON. Mr. Speaker, this bill has a unanimous report from the Committee on Ways and Means. The measure was considered very carefully and is one introduced at the instance of the Treasury Department.

The purpose of H. R. 6737 is to amend the stamp provisions of the Bottling in Bond Act of 1897 so as to permit the stamping of bottled in bond spirits under precisely the same conditions as those which under the provisions of the Liquor Taxing Act of 1934 now attend the stamping of other spirits.

The Bureau of Internal Revenue is now required under the provisions of present statutes to follow two entirely different systems in regulating the distribution and application of strip stamps to be affixed to bottled spirits. One applies to spirits not bottled in bond and the other to spirits bottled in bond.

The system applicable to spirits not bottled in bond is provided pursuant to the Liquor Taxing Act of 1934. The now familiar red strip stamps are supplied under the provisions of this act. Such stamps are manufactured in sheets by the Bureau of Engraving and Printing, serially numbered, and supplied in quantity to all collectors of internal revenue, who keep them in stock awaiting orders from the distillers, rectifiers, and other bottlers. Upon the receipt of any such order, the stamps are registered by the collector in the name of the purchasing bottler and sent by registered mail to the Government officer in charge of the bottling plant. This officer keeps them in his official safe and issues them to the bottler to meet his daily requirements. This system is simple and inexpensive to the Government and convenient for the bottler, and it provides every necessary safeguard against the fraudulent use of the stamps.

In contrast with this simple system, the system applicable to spirits bottled in bond is extremely cumbersome and imposes a heavy burden upon the Bureau of Engraving and Printing. A separate manufacturing job is necessary to produce the stamps required for each separate lot of spirits which any distiller may propose to bottle in bond. This is necessitated by the provisions of the Bottling in Bond Act, which require that the green stamps to be affixed to the immediate containers of distilled spirits bottled in bond state the proof of the spirits, the registered distiller's number, the State and collection district in which the distillery is located, the distiller's name, the year and distilling season, such as spring or fall, and the year and season of bottling. In view of these complicated requirements, it is not practicable to place sheets of bottled-in-bond stamps in the hands of the various collectors of internal revenue as is done in the case of red-strip stamps. These sheets of bottled-in-bond stamps are first printed in blank by the Bureau of Engraving and Printing, and upon the receipt of an order for a stated quantity of particular stamps, it overprints them with the required information. The simplification of the bottled-in-bond stamps, as contemplated under this bill, would in no way alter the requirement that spirits bottled in bond must be of domestic production, straight; that is to say, unmixed or unblended, of precisely 100° proof and at least 4 years old.

Distilleries have been accumulating stocks of liquor since the beginning or resumption of their operations at the time of repeal, and the time will soon come when a very large quantity of distilled spirits will be bottled in bond. When this time arrives, it will become a matter of extreme difficulty to supply the stamps which will be required, if the present law is not changed so as to permit a simplification of the

method of manufacture and distribution. The system which has been followed for more than 3 years in the issuance and use of red-strip stamps for distilled spirits not bottled in bond has proved satisfactory in every respect. These stamps are issued under regulations and safeguards which are calculated to insure that they will not fall into unauthorized hands, and that when applied to bottled spirits they may be relied upon both by the public and by officers of internal revenue as positive evidence that the Federal revenue laws have been fully complied with by the bottler. They are proof against counterfeiting.

Moreover, the change contemplated by the bill in the present method of stamping bottled-in-bond spirits will not only not be a source of expense to the Government, but will actually furnish an accretion to the annual revenue of the United States. The application of the unbonded liquor strip-stamp system to bonded liquor will mean an additional cost of at least 2 cents a case for the bottled-in-bond stamps. The distilled-spirits industry, however, will be amply compensated for the increased cost by the convenience of the new system. Representatives of the Treasury Department who appeared before the Committee on Ways and Means stated that the present bill has the approval of the distillers.

Thus, both from the standpoint of convenience to the distillers and bottlers and increased revenue to the Government, the passage of H. R. 6737 is desirable so that bottled-in-bond spirits may be stamped under the same conditions as now attend the stamping of other spirits. This bill is strongly recommended by the Treasury Department and is in accord with the program of the President.

The measure has been agreed upon by the distiller, the bottler, and the Government, and I hope the explanation of the bill is satisfactory to the gentleman from Wisconsin.

Mr. BOILEAU. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first and fourth paragraphs of section 1 of the act entitled "An act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 ed., Supp. II, title 26, sec. 1276), are designated "(1)" and "(6)", respectively, and the second and third paragraphs of said section are amended to read as follows:

"(2) Every bottle when filled shall have affixed thereto and passing over the mouth of the same a stamp denoting the quantity of distilled spirits contained therein and evidencing the bottling in bond of such spirits under the provisions of this act, and of regulations prescribed hereunder.

"(3) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe (a) regulations with respect to the time and manner of applying for, issuing, affixing, and destroying stamps required by this section, the form and denominations of such stamps, applications for purchase of the stamps, proof that applicants are entitled to such stamps, and the method of accounting for receipts from the sale of such stamps, and (b) such other regulations as the Commissioner shall deem necessary for the enforcement of this act.

"(4) Such stamps shall be issued by the Commissioner of Internal Revenue to each collector of internal revenue, upon his requisition in such numbers as may be necessary in his district, and, upon compliance with the provisions of this act and regulations issued hereunder, shall be sold by collectors to persons entitled thereto, at a price of 1 cent for each stamp, except that in the case of stamps for containers of less than one-half pint, the price shall be one-quarter of 1 cent for each stamp.

"(5) And there shall be plainly burned, embossed, or printed on the side of each case, to be known as the Government side, such marks, brands, and stamps to denote the bottling in bond of the whisky packed therein as the Commissioner may by regulations prescribe."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FARLEY, for 7 days, on account of important business.

To Mr. FERNANDEZ, for 10 days, on account of illness.

To Mr. JACOBSEN, for 5 days, on account of important business.

To Mr. KLEBERG, for today, on account of illness in family.

To Mr. BEVERLY M. VINCENT, for 3 days, on account of important official business.

GOVERNMENT RUM

The SPEAKER. Under special order heretofore made, the gentleman from Pennsylvania [Mr. RICH] is recognized for 15 minutes.

Mr. RICH. Mr. Speaker, I have here a quart of Government rum presented to me by Secretary Harold Ickes, and I suggest the Sergeant at Arms protect it until I need it during the course of my remarks.

For 3 weeks or more I have been trying to get a few moments' time to speak to the House of Representatives. When the minority Members of the House of Representatives do not have a right to talk to the House, then their power is practically gone, because, with a majority in the House such as we have here of the New Deal party, it is very difficult, it is impossible, for a minority member to have any legislation brought to the floor of the House and enacted into law. His principal power is constructive criticism.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman yield?

Mr. RICH. Mr. Speaker, I yield to no man at the present time. When the minority loses that right, then practically they lose all of the power they have. Ever since I have been trying to get this time, the gentleman from Massachusetts [Mr. McCORMACK] has asked me what I intended to talk about. I told him Jim Farley, and the fact that the Guffey-Earle-Lawrence political machine of Pennsylvania has taken all of the postmasters out of civil service and are putting politics into effect in Pennsylvania, in the Post Office Department, worse than ever the Vare or the Penrose machine could think of. Gentlemen, I have noticed that Mr. McCORMACK always asked for time after I asked for time. He wanted to follow me. Mr. McCORMACK has been sent to Massachusetts the past week on a sad mission, the death of our colleague, Mr. Connery. I would not betray that gentleman in his effort to uphold anything that Mr. Farley might do. I know that he is not here today, and for that reason I am not going to use the subject I had intended to use because I do not want to trouble the gentleman from North Carolina [Mr. WARREN], a good friend of mine, to get up here and try his best to take up the time allotted to Mr. McCORMACK in saying something about the party machine, and I shall protect my colleague from North Carolina [Mr. WARREN] this afternoon to that extent. I could talk about the New Deal legislation, and I could criticize many things that have transpired in the last 3 or 4 years. You gentlemen know that you have passed legislation and that you have found out afterward that it is faulty, and have repeatedly come back to the House of Representatives to have recent laws repealed. You know now that many of the New Deal laws you have still on the statute books should be eliminated or repealed for the country's good. You gentlemen on this side of the House are responsible for the conduct and the running of this Government, but when you pass such legislation as that which you passed several years ago, for the killing of pigs and the plowing under of cotton, for the burning of wheat, and the stamping of potatoes, for the confiscating of gold and taking it down to Kentucky and burying it, for better-housing administration, which you will find is going to be one of the biggest millstones around the neck of the country that was ever placed there, and when you find out what the National Emergency Council is doing, spending \$100,000 a month and setting up in 48 States 48 political machines, you will want to consider trying to do away with a little of that legislation, because it will kill you if you do not. Since Frank C. Walker resigned 18 months ago it has been a real farce, a travesty to the taxpayers.

Another thing, you have been talking about these 5-to-4 decisions of the Supreme Court. I wonder what you fellows think about the 10-to-8 decision in the Senate lately, filed

just last week, about the Supreme Court. That 10-to-8 decision will stand out for all time as one of the greatest decisions ever rendered for the protection of our Constitution and form of government; and if the President could, he would change that decision today, and you will find out that he is going to try to do something with the Senate when he gets you down to Jefferson Island on Friday and Saturday of this week and Sunday of next week. The New Dealers will all be there; and as for the Jefferson Democrats, are you fellows going to follow them down there and be contaminated with a lot of New Deal ideas? It is a pretty serious thing when the President of the United States has to get you together about every week or two and drive it home that he wants you to be rubber stamps. For God's sake, are you not going to use your own initiative and your own minds? If you have any, you ought to do it.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I would if I could get the time, but I am afraid it will not be extended. It is very strange to find the President of the United States condemning the Supreme Court, charging that members should resign when 70 years old, when we find him appointing men like Frederic A. Delano, his uncle, who is 74 years old, to a 6-year term on the National Park and Planning Commission; and Mr. R. Walton Moore, who is 78 years old, to be Counselor of the State Department; and having the Senate confirm them. He is just not consistent. He cannot be consistent, when he promises the American people one thing and then is doing something else. I never in all my life knew one who had so little respect for his own words as the President of the United States.

I come to the subject that I want to talk to you about this afternoon. First let me read you the following letter, which explains itself, and the presence of "the evidence" here this afternoon:

THE VIRGIN ISLANDS CO.,
Washington, D. C., April 26, 1937.

HON. ROBERT F. RICH,
House of Representatives.

MY DEAR MR. RICH: I am sending you herewith a laboratory sample of Government House rum, manufactured by the Virgin Islands Co. in St. Croix.

This is the same rum which is about to be marketed through a distributing agency in the United States. It is distilled from pure sugar cane juice under the most modern conditions. The cane was raised by natives of the Virgin Islands in connection with the rehabilitation program, which has been most successful in improving the standards of living on the islands.

Sincerely yours,

HAROLD L. ICKES,
Chairman, Board of Directors.

If there ever was a time in the history of this Congress when you fellows tried to evade the issue it was this afternoon when you would not permit a vote on the civil service in the C. C. C. You talk about civil service, but you do not mean it. You do not want it. You would not even permit a vote to be had on it, you are afraid to be recorded, and there were not enough Republicans to get a roll call. You talk one thing and do another.

Mr. MAVERICK. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. MAVERICK. Mr. Speaker, I make the point of order that the gentleman has no right to display a liquor bottle in the House of Representatives.

Mr. RICH. Mr. Speaker, this is Government rum, presented to me by Secretary Ickes.

The SPEAKER. The gentleman will suspend. The gentleman from Texas makes the point of order that the gentleman from Pennsylvania has no right to exhibit the bottle without permission of the House. The point of order is well taken.

Mr. TOBEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOBEY. The Speaker called the attention of the gentleman from Texas to the fact that the gentleman had a bottle of liquor.

How does the Speaker know it is liquor, sir?

The SPEAKER. That is a question of which the House cannot take judicial notice. The point of order is well taken.

The Chair will submit it to the House, if the gentleman insists on displaying the exhibit.

Mr. MAVERICK. I insist on the point of order, Mr. Speaker.

The SPEAKER. As many as are in favor of granting the gentleman from Pennsylvania the right to exhibit the bottle which he now holds in his hand will say "aye" and those opposed will say "no."

The vote was taken and the Speaker announced that the ayes have it, and the permission is granted. [Applause and laughter.]

Mr. RICH. I wish to call attention to this bottle of Government House rum.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. PETTENGILL). Does the gentleman from Pennsylvania yield?

Mr. RICH. If it is not taken out of my time.

The SPEAKER pro tempore. It will be taken out of the gentleman's time.

Mr. RICH. Then I do not yield, Mr. Speaker.

Mr. HOFFMAN. I will waive it.

Mr. RICH. Mr. Speaker, the design on this bottle of liquor, a ship, according to the record I have here, was suggested to the Secretary of the Interior by the President of the United States. This Government House rum is manufactured by a corporation owned by every individual in the United States who is a taxpayer, and anybody who ever buys anything certainly is a taxpayer. The sole agent is W. A. Taylor & Co. of New York City. Why does the Government confine the sale to one company? The Government, under the New Deal, bought in the Virgin Islands, two old sugar mills, and an old distillery, and 5,000 acres of land. The Government, New Deal, has spent, under W. P. A., \$2,520,000 for purchase and to get this Government plant in shape to manufacture rum. They have today, inventory, 600,000 gallons of rum on hand, at \$1 a gallon, and 3,800 tons of sugar, at \$70 a ton. That would be an inventory of \$866,000. That is what you have for the \$2,520,000 that you have expended, plus the land and rum mill. Mr. Ickes is president of this company. He is also Secretary of the Interior.

Now, the point is this, that we put the Government in business in more things in the last 4 years than ever in the history of our Nation. Do you not think it is time to take the Government out of business and especially the rum business? The Government is in competition with the distillers of this country who pay taxes. It is in competition with the breweries of this country who are paying taxes to help support this Nation. You are putting the Government into direct competition with them. It is not right to those people. It is not right for any individual citizen of this Government to have the Government in competition with them. I think the time has arrived for you to go back to the promises you made in your platform and that the President made in his speeches. Let me quote the President of the United States from a speech he made in Brooklyn on November 4, 1932:

The people of America demand a reduction of Federal expenditure. It can be accomplished not only by reducing expenditures of existing departments, but it can be done by abolishing many useless commissions, bureaus, and functions, and it can be done by consolidating many activities of the Government.

Now, if the President meant what he said, then he ought to get the Government out of this business. He ought to get the Government out of many lines of business that it is in today. He ought to try to consolidate offices.

I take my hat off to Senator BYRD. He has been trying in every way he possibly could to consolidate offices. We have a man right here from St. Louis, JACK COCHRAN, who knows more about consolidation of Government offices than anybody else in this House. [Applause.] If he and Senator BYRD will get together they could bring in a bill that you

men ought to support for consolidation and economy. I hope you are going to try to carry out these promises, not only the statements of the President but the statements in your Democratic platform, where you claim we ought to eliminate the Government in business? Have you the will to do it? Have you the backbone to do it?

Mr. Speaker, we have come to the point not only where we find the Government in business but to the point where the daily financial statement of the Treasury is very disquieting. In this connection I want to call your attention to the recent statement of the majority leader of the Senate and to the statement made by the gentleman from Virginia [Mr. WOODRUM] a few weeks ago on economy in Government. It is too serious a matter to laugh at when you have jumped the Federal deficit, according to the statement of the Treasury, up to \$36,833,907,802.90. The highest in our history and still mounting. It is no laughing matter, it is serious; and I want to plead with you, I want to ask you with all the seriousness that I possess, to take the Government out of business, to get it out of these activities where it loses money every day. I want to ask you to cut down governmental expenses. I ask you to remember that you have now appropriated over \$8,000,000,000 at this session of Congress for 1938.

June 30, for the fiscal year 1937, you are going to be over \$2,800,000,000 in the red, this at the end of the year during which the President promised that he would balance the Budget. Do you expect him to do it? Your President now is figuring on what the expenditures for 1939 are going to be. If he has a Congress of New Dealers instead of a Congress of Jeffersonian Democrats, we will never get any place with economy in Government.

I ask you in closing to give every consideration to the necessity that you take the Government out of the field of business, as one means of economy.

[Applause.]

The SPEAKER pro tempore (Mr. PETTENGILL). Under special order of the House heretofore made the gentleman from North Carolina [Mr. WARREN] is recognized for 15 minutes.

Mr. WARREN. Mr. Speaker, in view of the speech just made by the gentleman from Pennsylvania it is not my desire to detain the House. I yield back the time allotted to me.

Mr. GILDEA. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GILDEA. Mr. Speaker, when my colleague the gentleman from Pennsylvania [Mr. RICH] asked permission to address the House today, Monday, June 21, I was interested to know on what subject he might choose to lecture this body.

Doubly interested, because if he elected to berate the C. I. O. as an agency of the New Deal, I believed you would want to know that on Friday of last week a delegation came down here to Washington from the gentleman's mill in Pennsylvania to ask action on the part of the National Labor Relations Board on a complaint filed with the district office of that Board at Philadelphia charging discrimination and coercion on the part of the Woolrich Woolen Mills against certain employees of that company.

The charge was signed by Austin C. Derr, district representative of the Textile Workers Organizing Committee; and in the charge was stated:

Complaint against Woolrich Woolen Mills charging violations of section 8, subsections (1) and (3) of the National Labor Act by reason of discrimination in tenure of employment, also coercion through the discharge of four workers, namely, Lloyd Verbeck, Martin Myers, James Warren, and Harold Bicket, and the demotion of Albert Geise, said suspension and demotion being as of June 1, 1937.

These men have been long-time workers with the Woolrich Woolen Co. Their dismissal can hardly be laid to lack of experience or inefficiency. This afternoon, when the gentleman from Pennsylvania [Mr. RICH] condemned certain

New Deal legislation and referred to split decisions of the Supreme Court, he failed to mention that the Wagner Act stood up under a split decision and that coercion and discrimination today are branded as unfair labor practices, applicable to the Woolrich Woolen Co. as well as to all other industrial concerns throughout the United States.

Conditions imposed by industry on labor make union organization necessary.

"Where are we going to get the money?" is the challenge the gentleman from Pennsylvania continuously hurls at the Members of Congress and at the President of the United States.

We might take a note from the book of the Woolrich Woolen Co., and by assessing everything in sight answer that question to the satisfaction of the gentleman propounding it, if not to the satisfaction of the country.

The Woolrich Woolen Co. deducts from the pay envelopes of its employees—and I quote from the printed slip on the outside of the envelope—these items:

House rent, water rent, lights, insurance, garage rent, store account, Federal O. A. B. tax.

Leaving, as can be noted from the envelopes of two employees which I hold in my hand, absolutely nothing in the way of cash money in the instance of one—Clarence Baker—and very meager cash balance in the envelope of Lloyd Verbeck. Incidentally, Mr. Verbeck is one of the employees dismissed because he had the effrontery to attempt to organize the workers of the Woolrich mill, and I have also been informed the reason Mr. Geise was demoted and not dismissed was because his company-store bill was too high to warrant his dismissal without giving him a chance to work it off.

Mr. Speaker, I yield back the balance of my time, with the suggestion that if the President really wants to know where we are going to get the money, he can learn from the Woolrich Woolen Co. Take everything the country earns, and evict as undesirable any who question the procedure.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes.

Mr. DICKSTEIN. Mr. Speaker, I again rise to call attention to some matters with which I think the Members and the public should be acquainted, if they are not already acquainted with what is going on in our country. Public opinion in this country is both shocked and amazed at the cruel execution of one Helmuth Hirsch, the 21-year-old American who was convicted and executed in spite of repeated appeals by the Government of the United States to the dictator of Germany, whose name I discovered was not originally Hitler, but Herr Schuckelgruber. That was his name before he controlled the German situation. That was his name before he took the name Hitler, under which he is known as the man who is seeking to bring about the world's destruction.

This boy was convicted after a secret hearing in a so-called people's court, where under the German laws no rules of evidence apply and here any plea can be meted out without any regard to law or justice.

This is another instance of dictatorial brutality. Orders are given and a secret trial held, and before one realizes it his head is on the block, and the ruthless machine of dictatorship pursues its merry course again.

A special dispatch to the New York Times from Berlin under date of June 4, 1937, says:

The utmost secrecy surrounded the execution as it did the trial. To this day virtually nothing is known of the evidence against Hirsch presented to the people's tribunal.

It is most amazing to find in this day and age a country which lays claim to being a civilized community behaving in a manner such as Germany has done during this so-called trial. No evidence of any kind was presented to the public, and it is perfectly obvious that no such evidence was in existence. It reminds me very much of the famous purge of June 30, 1934, when Hitler caused the execution of a

hundred or so persons, and when called to task for his act, he bluntly announced that he was the "chief judge of the nation." Not only is he the chief judge of the nation but also the sole and exclusive jury. If anything in Germany displeases its ruler, all he has to do is to order a trial and have the man executed.

The amazing thing about this situation is that even representatives of the American Government had been unable to obtain from Germany a copy of the alleged evidence against this young boy, and the dispatch to the New York Times says, "A record of the evidence has been promised to the United States Embassy for its own information at some future date." And when the American consul requested the prison authorities to let him see the condemned boy before he was executed, he was refused admission on the plea that the condemned boy did not want to see him.

Instances like this are unfortunately not unique in Germany. Nearly every day presents some instance of outrages committed under the guise of law against inoffensive persons. Anyone reading about what is going on in Germany today can only hark back to the Middle Ages and the torture chambers of the Spanish Inquisition to find a parallel. The amazing thing in this whole situation is not so much the disregard of all rules of decency and propriety in Germany but the fact that in spite of all these activities, Germany finds itself so slighted and sulks if any criticisms of its actions finds its way into the newspapers.

I venture the prediction that one of the reasons why Germany is so brazen about its actions in this matter is because this boy was merely a citizen of the United States. If he were a British subject, I dare say Hitler would think twice before he would allow this execution to be carried out, because he knows that any such action would result in reprisals and retaliation. But we are easygoing about things and have never done anything to hurt the feelings of the German Chancellor outside of making feeble and ineffectual protests, and even these slight protestations Germany cannot "take."

The powers that be in Germany refuse to listen to the truth and if an impartial newspaper dares to utter a word of criticism, it is immediately barred from circulation in Germany and the nation to which the paper belongs is assailed and assaulted.

Germany will brook no criticism of its actions, and at the same time is most vitriolic in denouncing other nations.

My question is, "How long, O Lord, how long" is this going to continue?

Mr. Speaker, I wonder what is wrong with us and why we, as a nation, are not entitled to the same courtesy as other nations from this Herr Schuckelgruber, commonly known as Hitler. I am not quarreling with his form of government in Germany, but I do want to call attention to just a few facts concerning the activities of his agents carried on in this country in the way of the most pernicious and un-American activities.

In Chicago, Ill., where they are pretty well organized, in which State the State militia ought to be checked into by somebody, whether it be by the Governor of the State or some committee, there are these alien German spies who are fomenting trouble. One of their headquarters is at Northbrook, Ill. I repeat the name of that place, Northbrook, Ill. At that place are located several thousand German Nazis in uniform. They have ammunition. They are drilling both by foot and in the air, and it is all done by order of the German Government.

Mr. Speaker, before these men are accepted into the aviation outfit their applications must be sent to the German consul in New York, who in turn sends the application to the War Department in Germany. If the man is approved, the application is returned to the German consul in New York, who in turn notifies the alien secret spy system of Illinois. The man is then made a member of the aviation outfit.

I am going to surprise some of my associates in a very few days. I was able to obtain a moving picture photograph

of many hundreds and maybe thousands of men who have taken up arms, who have taken belts with guns and bullets. Some of this outfit with bullets and belts took these pictures for the purpose of sending them to Germany to prove to Hitler that they are well organized in the United States of America and that they are ready at any time to carry out his will and his commands upon call.

Pictures do not lie. Here is the madman of the world trying to destroy every race of people. He started with the Jews; he then picked on the Catholics; he is now trying to destroy the Protestants. He has appointed a god of his own. He is the whole boss and the dictator. He not alone confines his propaganda to his own country, which I have no objection to, but he puts out this propaganda in every section of the world. What I am concerned with is to get some form to stop this drilling and arming of a group of foreign agitators in the United States.

Mr. Speaker, I appeal to the Members of Congress. This is not my job alone. I am calling this to the attention of the Members because I have practically slept with this problem for 3 years. I have definite, positive proof, backed up by pictures. Northbrook, Ill., is the place where they are drilling in German uniforms. They have ammunition, and they have airplanes. They have horses and a cavalry ready to go over to Germany to bring about another World War. Yet we say we are a neutral people; we do not want war.

What are they doing over here? Are we going to sit back and tolerate this? Where are these Members who on April 8 voted down my investigation? Why do they not do something? I will join with them. Why do they not suggest a remedy? They have destroyed my suggestion. I am willing to work with them, and I do not have to talk very much to convince any reasonable man what they are doing in Northbrook, Ill. They are going to do the same in New York City and other places.

Here is a paper that is published by the German Government in this country. This paper was issued last Wednesday. In the German language an order is issued by Mr. William Goer, district leader of the New Nazi Party, calling upon all Germans or all Hitlerites to appear at a convention some place in my own State, somewhere out in the woods, and by orders of their leaders they are to bring their German uniforms and they must be ready to carry out the orders from without.

Mr. BOILEAU. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. The gentleman in his quotation said an order had been issued to "all Germans" or "all Hitlerites." I assume he was making a correction and does not mean "all Germans."

Mr. DICKSTEIN. I did not mean all Germans. I mean all Hitlerites. I agree with the gentleman. The committee which investigated un-American activities in this country has no quarrel with the German people. In fact, our committee gives them an excellent report and states they are loyal Americans. It is the newcomers in the last 3 or 4 years—and we have had thousands of them—who have created most of the trouble. They no more pledge allegiance to this country than I would pledge allegiance to Hitler. They are not interested in this country. We are allowing them under our very noses to carry on this drilling in uniform. We permit them to carry arms. They are ready to serve this madman who is ready now, if you want to know it, to declare war against everybody.

Mr. FLETCHER. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Ohio.

Mr. FLETCHER. Does not the Governor of Illinois know all about this, and does not our own State Department know about it, and have we not laws to take care of the situation?

Mr. DICKSTEIN. I agree with the gentleman. They should know about it, but they do not know because we always mind our own business. We never go into these things. We are asleep.

Mr. FLETCHER. This is in our own country. It is up to us to find out.

Mr. DICKSTEIN. I agree with the gentleman, it should be made our business. There should be a standing committee of this House known as the Committee on un-American Activities, which should watch every subversive group in this country—and that applies to the Communists and all other groups that seek to overthrow this Government in one form or another. I say in answer to the gentleman, the Governor of Illinois should know it, the State police should know it, and the country should know it, but they do not take the trouble to find out, and these people are carrying on.

Mr. BOYER. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. BOYER. I am interested in the State of Illinois. I represent a district in Illinois. I do not know where the town of Northbrook is. Will the gentleman tell me where it is? What part of the State is it in?

Mr. DICKSTEIN. I cannot give the gentleman the description, but I shall be very glad to furnish it. I have some affidavits and some documents here, and I shall be glad to have the gentleman locate it for me.

Let me call your attention to something else that is very interesting. Only about 3 or 4 weeks ago some groups, both Fascists and Loyalists, have taken from this country several hundred young Americans by soliciting their aid to join the war in Spain.

They have been taken away from their mothers and fathers. I do not have to tell you it takes very little salesmanship to induce a boy to put on a uniform and to go on a big boat and fight over there. There are recruiting stations upon recruiting stations in this country. Can any man in this House or in this country tell me, should it not be our business to stop it? Have we done anything to stop it? Eighty percent of the boys who were taken over there have already been killed. Have we done anything to be neutral? No. Are we interfering with them? Are we interfering with Germany? No. But Germany is interfering in this country every day in the week.

I venture to say the trouble in Palestine is the result of Mr. Hitler's propaganda. The trouble in Poland is the result of Hitler's maneuvers and propaganda. The taking of Danzig and, pretty soon, Austria, is the work of propaganda. Naturally they could get along much faster in those countries than they can in this country.

Mr. Speaker, my appeal to this House is, Why should we as Americans tolerate any form of "isms" in this country which brings hatred, ill feeling, and fear into the hearts of millions of American citizens who are becoming victims of this propaganda? I am not quarreling with the Members of the House, and I am not criticizing your action. I am merely stating the facts to you. I would be willing to cooperate with any Member or group of Members to submit all the information I have received, because unfortunately I get it every day in the week. However, I submit something ought to be done to eradicate all of these people who seek in one form or another to bring about the rise of foreign ideologies and foreign thoughts. Such people ought to be removed from this country.

[Here the gavel fell.]

CONTROL OF CANCER

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I have introduced a bill which is known as the cancer bill, H. R. 6767. It provides for cancer research, the training of technicians, and the establishment of a central cancer clinic. On Sunday I read a review in the New York Times of a book entitled "Cancer—The Great Darkness", prepared by the editors of Fortune. The introduction is written by Morris Fishbein, Fellow of the American Medical Association. (See below I, Comment by Dr. Morris Fishbein.)

This book tells us a great deal about cancer research in this country. I have been reading the book since I sent out and got it this morning, and it has been scaring me to death. It is a valuable book; it answers some important questions. (See below II, Important Questions Answered by Fortune.)

In the last hour I have done some figuring; I find that according to established statistics that 60 Members of the present Congress, including both the Senate and the House, will inevitably die of cancer. So this is bringing it close to home. One out of every eight persons over 40 who die, die of cancer. As most of us are over 40, I have figured there will be around 60 of us who thus meet death.

GREATEST HINDRANCE—LACK OF FUNDS FOR RESEARCH AND LABORATORIES

This book states the greatest hindrance to the war against cancer is lack of sufficient funds to support the necessary laboratories and research workers. Nevertheless, the American people spend more money on a football afternoon in October than is available in the whole United States for carrying on the fight against this great disease. Think of that, my colleagues.

The book goes on to explain something which I already knew—that one of the reasons people evade the question of cancer is that it absolutely grips them with horror and fear, so they evade the question.

COTTON, \$846,000 PER ANNUM FOR RESEARCH; CANCER, \$95,000

According to this book concerning the amount of money spent on research, on cotton we spend \$846,000 a year; on forest products, \$507,000 a year; and on dairy cattle, \$387,000. Then there are numerous others, on all of which we spend more than we do on cancer. The average amount we have spent for the last 10 years on cancer is \$95,000. (See below III, Foundations on Cancer.)

It is generally recognized throughout the United States that much more money must be spent on cancer research if any progress is to be made at all. The figures I have cited are enough to prove it. But let me read further:

Fortune believes that the eventual solution for cancer can be hastened by financial assistance. Laboratories cannot create genius but they can prepare the way. And laboratories presume money, and money presumes a public interest that the cancer people have failed to enlist.

The bill which I have introduced provides for spending \$2,400,000 for a central cancer clinic, which would be established in Washington, D. C., free from any political influence, under the Public Health Service. It also provides for spending a million dollars a year. The Service would coordinate the cancer work of the United States. They find that cancer work west of the Mississippi River is very poorly organized, and is principally organized in the East and New England States. The Service would provide for the distribution of radium and other facilities all over the United States, in a proper way.

This project is not opposed by any member of the medical profession, as far as I know. All of the leading cancer specialists of the United States, including Dr. James Ewing, Dr. C. C. Little, and Dr. George Morris Dorrance, in Philadelphia, and various others, are in favor of this work. Hundreds of doctors have specifically endorsed the bill, including Dr. William Mayo of the famous Mayos' Clinic.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. Yes.

Mr. DICKSTEIN. Would the gentleman include tuberculosis?

CANCER KNOWN FOR 3,000 YEARS—BUT CAUSE UNKNOWN

Mr. MAVERICK. Of course; but they are doing good work on tuberculosis now and great strides have already been made. The disease is under control. Also, they are doing good work on syphilis, and it is under control. May I also say to the gentleman that cancer has been known as a disease for 3,000 years, but no one has ever been able to ascertain its cause.

No one, my friends, has ever found a cause for cancer.

The cause of syphilis is known and it is also known there is a cure for it in a certain phase. The same may be said

of tuberculosis and other diseases. Those diseases are known, gentlemen; in syphilis we have the Wassermann test—but there is nothing like that in cancer. The lack of a cure is the reason cancer is called "The Great Darkness."

It just happens that I anticipated that question, and I would like to read two short paragraphs:

The basic reason for the rise in cancer mortality is that medical research in other fields has outstripped medical research in cancer.

Also, my friends, I read on another page:

What the public wants and what the public will never get until research accomplishes a miracle is some cure such as salvarsan provides for syphilis, quinine for malaria, antitoxin for diphtheria. Cancer has nothing like that.

This last quotation explains my reference to the Wassermann test.

FINANCE THE BRAINS AND EQUIPMENT TO FIGHT CANCER

Let me quote from the conclusion of the book:

So, in the end, darkness broods upon cancer. And until the cancer laboratory creates a light that mankind has never before seen, darkness will remain. This is the pessimistic conclusion to which any honest analysis of the cancer situation leads by relentless syllogisms.

And yet the pessimism of the conclusion is in a sense relative. The history of cancer research, as we have reviewed it, is a brilliant history of men working under difficulties, from whose labors some sparks have been struck.

Society has within it the power, if not directly to call forth light from those sparks, at least to finance the brains and equipment by which it might conceivably be called forth. This is a thing which society has not done—which it must do.

HERE IS A CHANCE TO REALLY SERVE HUMANITY

I call upon you to be interested in cancer and do everything you can to combat it. Let us get this bill on the floor, appropriate the money. I have a feeling every Member of Congress favors this bill, but it still lies in the committee. Let us have hearings—let us know the real truth.

If this bill is adopted we can truly say we have done a service to humanity.

I

COMMENT BY DR. MORRIS FISHBEIN

Education of public is of greatest importance

Dr. Morris Fishbein, able Fellow of the American Medical Association, writes the introduction to the book and, therefore, endorses its representations. He recognizes, as all doctors recognize, the importance of the subject. He compliments the editors of Fortune and gives the following important advice:

The editors of Fortune have rendered a service to medicine and the public by the extremely lucid explanation and review of our present knowledge of cancer included in the excellent article which forms the bulk of the content of this book. The one real hope in cancer under present conditions is early diagnosis and early operation, or else the use of the X-ray or of radium, or perhaps a combination of all three methods. Statistical evidence accumulated in many places proves the truth of this statement.

Dr. Fishbein also emphasizes the need of public education, prompt treatment, and diagnosis as follows:

In cancer particularly, therefore, education of the public is of the greatest importance; it should lead to earlier diagnosis and more prompt action in relationship to control of the cancerous growth. It has been said that the chief items which any person over 40 should keep in mind about cancer are four in number:

- (1) Early cancers can be cured.
- (2) Everyone is liable to cancer.
- (3) Diagnosis demands scientific knowledge.
- (4) Consult a physician on the slightest suspicion of the presence of cancerous growths.

II

IMPORTANT QUESTIONS ANSWERED BY FORTUNE

1. What is being done to discover the cause of cancer?
Criminally little. This is largely due to public apathy and ignorance. If this book, in even the smallest measure, aids in overcoming that apathy and ignorance its publication will be thoroughly justified.

2. Are deaths from cancer increasing?

Yes. The cancer mortality rate has increased 60 percent in this century!

3. Is cancer infectious—is it hereditary?

Probably not. But you will have to wait until science somewhere finds the money to carry on the necessary research work to prove this before you can be sure.

4. How long has cancer been recognized, if so little is known about it?

About 3,000 years. This book reveals that the ancient Egyptians used remedies as effective as many modern nostrums.

5. Are quack cures still sold?

Yes. If this book can play a part in starting legislation to stop one of the most cruel frauds ever practiced on the American public it will have further justified its publication.

III

FOUNDATIONS ON CANCER

Sums spent "criminally little" in comparison to needs

I insert here from the book information concerning what research is being done. Cancer—The Great Darkness, says that there is a loosely held belief that a tremendous effort is being made to solve the cancer problem, but that "unhappily, such is not the case", and that "the amount of money provided for the search for cancer causes is dramatically small."

It is also emphasized that the work is scattered throughout 48 States; that much of the work is repetitive, some of it elementary, and not a little of it wasted. It proceeds concerning the various foundations:

In the entire cancer field there are only two funds whose capitalizations are in excess of \$1,000,000. The biggest is the International Cancer Research Foundation founded in Philadelphia in 1932 by William H. Donner with a capital of \$2,000,000, which that shrewd ex-steel master (Donner Steel, Republic Steel) has ably administered ever since. Headed by Mr. Donner, an advisory committee of scientists, and a board of trustees, the foundation's income is parceled out to a number of cancer-research projects in various parts of the world.

The next biggest fund is that of the Crocker Cancer Research Fund, of New York, created by the will of George Crocker in 1911 with a capital of \$1,400,000, and headed by the distinguished cancer authority, Dr. Francis Carter Wood. The income from this fund goes entirely to Columbia University's Institute of Cancer Research, which is therefore the most heavily endowed cancer research organization in the United States.

Smaller funds are the \$650,000 Anna Fuller fund of New Haven; the \$400,000 Jonathan Bowmah fund at the University of Wisconsin; the \$200,000 Henry Rutherford fund at the Rockefeller Institute, which aids the Institute's division of cancer research, headed by Dr. James B. Murphy; the \$100,000 C. P. Huntington fund, which goes to New York's Memorial Hospital, headed by the renowned Dr. James Ewing (but of \$500,000 spent on cancer by this institution in 1936, only \$50,000 went to research); the \$100,000 Bondy fund at Columbia University; the \$100,000 Charles F. Spang Foundation, whose income goes to the University of Pittsburgh's medical school; and the \$100,000 Mack Memorial Foundation, which is partly for cancer research and goes entirely to the University of California.

All other funds in the field are less than \$100,000. A vital unit in the research field is Dr. Clarence Cook Little's laboratory in Bar Harbor, Maine (the Roscoe B. Jackson Memorial Laboratory), which has virtually no working capital at all save that which Dr. Little raises by personal efforts. Dr. Little breeds pedigreed mice and sells about 50,000 of them a year to cancer researchers.

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MAGNUSON. Mr. Speaker, my only purpose in rising on this occasion is because I have listened with great interest to the speech of the gentleman from Texas [Mr. MAVERICK] with reference to his cancer bill, and I wish to call the attention of the House at this time to the fact that there are pending in the House and Senate numerous cancer bills, the most prominent of which is one introduced in the Senate and signed by 94 Senators, which was likewise introduced in the House by myself sometime previous to the introduction of the bill of the gentleman from Texas.

There are to be public hearings in the Senate on this bill, and these hearings are to take place within the next month. I have no quarrel with the gentleman from Texas [Mr. MAVERICK], or any other Member of the House, and what the gentleman points out is absolutely correct, and there should be something done in the matter.

I spent the last week-end at Bar Harbor with Dr. Little, one of the most eminent specialists in the United States, and, as the gentleman from Texas [Mr. MAVERICK] has stated, they are all in agreement about the matter.

I want the House at this time to be informed of the fact that within the next month we are going to try, in conjunction with the gentleman from Texas [Mr. MAVERICK] and anyone else who may be interested, to get action in the

matter, and I shall be pleased to cooperate with the gentleman from Texas [Mr. MAVERICK] in support of his bill.

RAILROAD RETIREMENT BILL

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, my colleague the gentleman from Iowa, Mr. JACOBSEN, was not able to be present today when the bill H. R. 7519, the railroad retirement bill, was under consideration. He was absent on official business. Had he been present, he would have voted "yea" on the passage of the bill.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, when the railroad retirement bill was voted upon this afternoon I was necessarily absent from the Chamber. Had I been present, I would have voted "yea."

EXTENSION OF REMARKS

Mr. GILDEA. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include therein the authority from which I derived the statements I made.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 713. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

ADJOURNMENT

Mr. WARREN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 22, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the firearms subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 22, 1937, for the consideration of S. 3, firearms bill.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, June 23, 1937, at 10:30 a. m., on H. R. 4710 and H. R. 4353, H. R. 4354, H. R. 4355, and H. R. 4356 (Starnes). Executive session.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in room 219, House Office Building, Washington, D. C., Tuesday, June 29, 1937, at 10 a. m., on H. R. 6039 and H. R. 7309, known as the Fishery Credit Act bills.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 29, 1937, on H. R. 5182 and H. R. 6917, textile bills.

EXECUTIVE COMMUNICATIONS, ETC.

674. Under clause 2 of rule XXIV, a letter from the Chairman, Securities and Exchange Commission, transmitting a further part of the Commission's study and investigation of the work, activities, personnel, and functions of

protective and reorganization committees, was taken from the Speaker's table and referred to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. HILL of Washington: Committee on Indian Affairs. H. R. 4290. A bill to authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Wash., for Indian sanatorium purposes; without amendment (Rept. No. 1070). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 7589. A bill to levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes; without amendment (Rept. No. 1071). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7430) for the relief of Mary Lucia Haven; Committee on Claims discharged, and referred to the Committee on Foreign Affairs.

A bill (H. R. 5259) for the relief of John S. Monahan; Committee on Claims discharged, and referred to the Committee on Pensions.

A bill (H. R. 6531) for the relief of Bertha Hymes Sternfeld; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 6992) for the relief of John Toko; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7065) granting a pension to Georgia A. Tinney; Committee on Claims discharged, and referred to the Committee on Pensions.

A bill (H. R. 7097) for the relief of Minnie D. Gadle; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7121) for the relief of Ella B. Kimball; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7169) for the relief of Sanford N. Schwartz; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7303) for the relief of David W. Morgan; Committee on Claims discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 7589) to levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes; to the Committee on Ways and Means.

By Mr. SPARKMAN: A bill (H. R. 7590) to quiet title and possession to certain islands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.; to the Committee on the Public Lands.

By Mr. DUNCAN: A bill (H. R. 7591) to make available to each State enacting in 1937 an unemployment-compensation law a portion of the proceeds from the Federal employers' tax in such State for the years of 1936 and 1937; to the Committee on Ways and Means.

By Mr. CANNON of Missouri: A bill (H. R. 7592) to regulate the manufacture and sale of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. STEAGALL: A bill (H. R. 7593) to provide for the establishment of Fort Mitchell National Park in Russell County, Ala.; to the Committee on the Public Lands.

By Mr. VINSON of Georgia: A bill (H. R. 7594) to give the United States Board of Tax Appeals jurisdiction to decide controverted questions relating to manufacturers' excise taxes in certain cases; to the Committee on Ways and Means.

By Mr. BEITER: A bill (H. R. 7595) to provide that the wording of Medals of Honor and accompanying certificates for blind ex-service men shall be in Braille; to the Committee on Military Affairs.

By Mr. DISNEY: A bill (H. R. 7596) to authorize a preliminary examination and survey of the Neosho River and its tributaries in the States of Kansas and Oklahoma with a view to the control of its floods; to the Committee on Flood Control.

By Mr. ALLEN of Delaware: A bill (H. R. 7597) to provide for the construction of a highway bridge across Chesapeake Bay at the most advantageous location in the immediate vicinity of Annapolis, Md., and Matapeake, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. HOFFMAN: A bill (H. R. 7598) to amend the act of June 24, 1936, the same being chapter 746, United States Statutes at Large, entitled "An act making it a felony to transport in interstate or foreign commerce persons to be employed to obstruct or interfere with the right of peaceful picketing during labor controversies" by adding four new sections thereto; to the Committee on the Judiciary.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 7599) to provide for the acquisition of all additional, suitable, and appropriate acreage necessary for a national historical park at Fort Necessity site (Fayette County, Pa.); to the Committee on the Public Lands.

By Mr. DEMPSEY: A resolution (H. Res. 246) to provide for inquiry into the administration of law in Puerto Rico; to the Committee on Rules.

By Mr. HOFFMAN: A resolution (H. Res. 247) requesting the Administrator of the Works Progress Administration to furnish certain information to the House of Representatives; to the Committee on Appropriations.

Also, a resolution (H. Res. 248) requesting the Secretary of Labor to furnish the House of Representatives with information; to the Committee on Labor.

By Mr. RANKIN: Resolution (H. Res. 249) providing for the printing of the report of the De Soto Expedition Celebration Commission; to the Committee on Printing.

By Mr. TEIGAN: Resolution (H. Res. 250) authorizing the chairman of the House Committee on Labor to request the chairman of the subcommittee of the Senate Committee on Education and Labor to arrange for a showing of a Paramount newsreel before House Members, showing the riot at the Republic Steel Plant in Chicago, Ill., May 31, 1937; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to conscription of wealth and industry in wartimes and the effective barring of war profits; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to amend the Social Security Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to designate Armistice Day as a holiday; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United

States to extend the life of the Federal Public Works Administration for a period of 2 years after next June 30, and further memorializing Congress to earmark the sum of \$350,000,000 of the pending Federal relief appropriation for a continuance of loans and grants under Public Works Administration to local communities; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY (by request): A bill (H. R. 7600) for the relief of Julius Zimmern; to the Committee on Claims.

By Mr. BOYKIN: A bill (H. R. 7601) for the relief of Eula Scruggs; to the Committee on Claims.

By Mr. DALY: A bill (H. R. 7602) for the relief of A. D. Cummins & Co., Inc.; to the Committee on Claims.

By Mr. DEMPSEY: A bill (H. R. 7603) for the relief of San Juan Coal & Coke Co.; to the Committee on Claims.

Also, a bill (H. R. 7604) for the relief of Maria J. Martinez; to the Committee on Claims.

By Mr. DEMUTH: A bill (H. R. 7605) for the relief of William G. Dean; to the Committee on Claims.

By Mr. LESINSKI: A bill (H. R. 7606) for the relief of Albert Richard Jeske; to the Committee on Immigration and Naturalization.

By Mr. MOTT: A bill (H. R. 7607) for the relief of Frank B. Decker; to the Committee on Claims.

By Mr. MURDOCK of Utah: A bill (H. R. 7608) to authorize the cancellation of deportation proceedings in the case of Christian Josef Mueller; to the Committee on Immigration and Naturalization.

By Mr. NICHOLS: A bill (H. R. 7609) for the relief of Iona Cazenave; to the Committee on Claims.

By Mr. ROBINSON of Utah: A bill (H. R. 7610) granting an increase in compensation to William B. Lancaster; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2676. By Mr. BETTER: Petition of the Propeller Club of the United States, port of Jacksonville, Fla., opposing any bill which may be brought before Congress proposing to transfer the supervision, maintenance, and improvement of the navigable waters of the United States, including flood control, from the Engineer Corps of the United States Army to other agencies; to the Committee on Military Affairs.

2677. By Mr. BUCK: Petition of residents of city of St. Helena, Napa County, Calif., protesting against the passage of Senate bill 1270 and House bill 3291; to the Committee on the District of Columbia.

2678. Also, memorial of the State of California Legislature, Senate Joint Resolution No. 24, relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in wartime and the effective barring of war profits; to the Committee on Foreign Affairs.

2679. Also, memorial of the State of California Legislature, Assembly Joint Resolution No. 18, relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities, and other political subdivisions within the provisions of such act relating to old-age benefits; to the Committee on Ways and Means.

2680. Also, memorial of the State of California Legislature, Senate Joint Resolution No. 26, relative to memorializing the President of the United States and the Members of Congress to extend the life of the Federal Public Works Administration for a period of 2 years after next June 30, and further memorializing Congress to earmark the sum of \$350,000,000 of the pending Federal relief appropriation for a continuance of loans and grants under Public Works Ad-

ministration to local communities; to the Committee on Appropriations.

2681. Also, memorial of the State of California Legislature, Assembly Joint Resolution No. 51, relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end; to the Committee on Rivers and Harbors.

2682. By Mr. COFFEE of Washington: Petition of the Everett District Council of Lumber and Sawmill Workers, Everett, Wash., resolving that they unanimously endorse President Roosevelt's program for reorganization of the United States Supreme Court, and urge the United States Congress to carry out the expressed will of the American people by immediately passing this legislation, and further resolving that copies of this resolution be sent to Senators BONE and SCHWELLENBACH, and to Congressmen MONRAD WALLGREN and JOHN M. COFFEE; to the Committee on the Judiciary.

2683. Also, petition of the District Council Sawmill and Timber Workers and Central Labor Council, Everett, Wash., unanimously endorsing the President's proposals for reform of the Federal judiciary, and urging adoption by Congress of the Supreme Court plan; to the Committee on the Judiciary.

2684. Also, petition of the International Association Heat and Frost Insulators and Asbestos Workers, Local No. 7, Seattle, Wash., urging the revocation of administrative order no. 197 of the Federal Emergency Administration of Public Works which restricts pending projects of Public Works Administration for approval to relief labor only; to the Committee on Appropriations.

2685. By Mr. LUTHER A. JOHNSON: Petition of R. H. McCoy, of Ennis, and Mrs. R. P. Garrett, of Corsicana, Tex., favoring the so-called agricultural adjustment bill now being considered by the Committee on Agriculture; to the Committee on Agriculture.

2686. Also, petition of J. M. Fountain, of Bryan; H. H. Porter, of Maypearl, and C. F. Farrar, of Maypearl, Tex., favoring the so-called agricultural adjustment bill now being considered by the Committee on Agriculture; to the Committee on Agriculture.

2687. By Mr. KEOGH: Petition of the Endicott Johnson Corporation, Endicott, N. Y., concerning a tariff on shoes coming from Czechoslovakia; to the Committee on Ways and Means.

2688. Also, petition of the Welfare Council of New York City, concerning the Maverick Joint Resolution 395; to the Committee on Labor.

2689. By Mr. KRAMER: Resolution of the Assembly and the Senate of the State of California, relative to memorializing Congress to designate Armistice Day as a holiday; to the Committee on Military Affairs.

2690. By Mr. LAMNECK: Petition of Mrs. William S. Van Fossen and other citizens of Columbus, Ohio, opposing any bills proposing to change our present form of Government; to the Committee on the Judiciary.

2691. By Mr. LESINSKI: Resolution of the Michigan State Senate (House of Representatives concurring), memorializing the Congress of the United States to continue their appropriations to the Public Works Administration for non-Federal public works; to the Committee on Appropriations.

2692. By Mr. MOTT: Petition signed by Lenora A. Gilm and 10 other citizens of Medford, Oreg., protesting against the passage of Senate bill 1270 and House bill 3291, both of which are compulsory Sunday observance bills; to the Committee on the District of Columbia.

2693. Also, memorial of the Southwestern Oregon Miners Association, Grants Pass, Oreg., urging the enactment of Senate bill 187 and House bill 2254, providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Mines and Mining.

2694. By Mr. SPARKMAN: Petition of Nancy Vinton and various other citizens of Madison County, Ala., urging the enactment of the old-age pension bill as embodied in House bill 2257, introduced by Representative WILL ROGERS, of Oklahoma; to the Committee on Ways and Means.

2695. Also, petition of Matilda Allen and various other citizens of Limestone County, Ala., urging the enactment of the old-age pension bill as embodied in House bill 2257, introduced by Representative WILL ROGERS, of Oklahoma; to the Committee on Ways and Means.

2696. Also, petition of Paul D. Blaxton and various other citizens of Lawrence County, Ala., urging the enactment of the old-age-pension bill as embodied in House bill 2257, introduced by Representative WILL ROGERS, of Oklahoma; to the Committee on Ways and Means.

2697. Also, petition of Sam Williams and various other citizens of Jackson County, Ala., urging the enactment of the old-age-pension bill as embodied in House bill 2257, introduced by Representative WILL ROGERS, of Oklahoma; to the Committee on Ways and Means.

2698. By Mr. WELCH: Resolution relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end; to the Committee on Rivers and Harbors.

2699. Also, resolution relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in wartime and the effective barring of war profits; to the Committee on Foreign Affairs.

2700. By Mr. BUCK: Memorial of the State of California Legislature, Assembly Joint Resolution No. 10, relative to memorializing the Congress of the United States to designate Armistice Day as a holiday; to the Committee on Military Affairs.

2701. By Mr. WELCH: Resolution relative to memorializing the President of the United States and the Members of Congress to extend the life of the Federal Public Works Administration for a period of 2 years after next June 30, and further memorializing Congress to earmark the sum of \$350,000,000 of the pending Federal relief appropriation for a continuance of loans and grants under Public Works Administration to local communities; to the Committee on Appropriations.

2702. Also, resolution relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities, and other political subdivisions within the provisions of such act relating to old-age benefits; to the Committee on Ways and Means.

2703. Also, resolution relative to memorializing the Congress of the United States to designate Armistice Day as a holiday; to the Committee on Military Affairs.

2704. By Mr. WIGGLESWORTH: Petition of the Revere Post, No. 61, American Legion, urging the enactment of special legislation for the establishment of a lifetime annuity to Marie Antionette Connery, widow of the late Representative William P. Connery, Jr.; to the Committee on Pensions.

2705. By the SPEAKER: Petition of the United Spanish War Veterans, Washington, D. C., with reference to House bill 5030, affecting Spanish War veterans; to the Committee on Pensions.

2706. Also, petition of the Board of Aldermen of the city of Chelsea, Mass., protesting reported Works Progress Administration lay-offs; to the Committee on Appropriations.

2707. Also, petition of Revere Post, No. 61, American Legion, Massachusetts, memorializing the Congress to enact special legislation for the establishment of a lifetime annuity to Marie Antoinette Connery, widow of the late William P. Connery, Jr., a late Representative to Congress from the State of Massachusetts; to the Committee on Pensions.

2708. Also, petition of the Board of Aldermen of the city of Chelsea, Mass., urging elimination of the present reciprocity treaty; to the Committee on Ways and Means.

SENATE

TUESDAY, JUNE 22, 1937

(Legislative day of Tuesday, June 15, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, June 21, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I note the absence of a quorum, and ask for a roll call.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Colo.	Reynolds
Andrews	Connally	La Follette	Robinson
Ashurst	Copeland	Lee	Russell
Austin	Davis	Lewis	Schwartz
Bailey	Dieterich	Lodge	Schwellenbach
Bankhead	Duffy	Logan	Smathers
Barkley	Ellender	Longeran	Smith
Bilbo	Frazier	Lundeen	Steiwer
Black	George	McAdoo	Thomas, Okla.
Bone	Gerry	McGill	Thomas, Utah
Borah	Gibson	McKellar	Townsend
Bridges	Gillette	McNary	Truman
Brown, Mich.	Glass	Minton	Tydings
Brown, N. H.	Guffey	Moore	Vandenberg
Bulkeley	Harrison	Murray	Van Nuys
Bulow	Hatch	Neely	Wagner
Burke	Hayden	Nye	Walsh
Byrd	Herring	O'Mahoney	Wheeler
Byrnes	Hitchcock	Overton	White
Capper	Holt	Pittman	
Caraway	Hughes	Pope	
Chavez	Johnson, Calif.	Radcliffe	

Mr. LEWIS. I announce that the Senator from Utah [Mr. KING] and the Senator from Connecticut [Mr. MALONEY] are absent because of illness.

The Senator from Tennessee [Mr. BERRY], the Senator from Rhode Island [Mr. GREEN], the Senator from Ohio [Mr. DONAHEY], the Senator from Nevada [Mr. McCARRAN], the Senator from Florida [Mr. PEPPER], and the Senator from Texas [Mr. SHEPPARD] are detained from the Senate on important public business.

Mr. POPE. I announce that the Senator from Nebraska [Mr. NORRIS] is detained from the Senate because of a slight illness.

Mr. AUSTIN. I announce that the Senator from Minnesota [Mr. SHIPSTEAD] is necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

RETIREMENT OF RAILROAD EMPLOYEES

Mr. WAGNER. Mr. President, yesterday the House of Representatives, with but one dissenting vote, passed the bill (H. R. 7519) to establish a retirement system for employees of the railroads. As a similar Senate bill (S. 2395) has been reported by the Committee on Interstate Commerce and is now on the Senate calendar, the bill passed by the House, under our rules may be placed on the calendar without reference to the committee.

I desire to give notice, if Senators wish to study the bill, that on tomorrow, in the course of the day, I hope to bring the bill up for the consideration of the Senate. I do not anticipate any opposition to it in the Senate, since on two other occasions similar bills were passed by unanimous vote of the Senate.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The PRESIDENT pro tempore laid before the Senate a letter signed by the Chairman and secretary of the Reconstruction Finance Corporation, reporting, pursuant to law, relative to the operations of the Corporation for the first quarter of 1937, and also for the period from the organization of the Corporation on February 2, 1932, to March 31, 1937, inclusive, which, with the accompanying papers, was referred to the Committee on Banking and Currency.